



# The Regional Municipality of Durham

## COUNCIL INFORMATION PACKAGE

### April 5, 2019

#### Information Reports

[2019-INFO-20](#) Commissioner and Medical Officer of Health – re: Update on a Proposal for a Consumption and Treatment Service in Oshawa

#### Early Release Reports

[2019-P-\\*\\*](#) Commissioner of Planning and Economic Development – re: Public Meeting Report – Application to Amend the Durham Regional Official Plan, submitted by Beverley Turf Farms Ltd., to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farms parcels, in the Township of Brock, File: OPA 2019-002

Early release reports will be considered at the May 7, 2019 Planning & Economic Development Committee meeting

#### Staff Correspondence

1. [Memorandum from John Henry, Regional Chair and CEO](#) – re: Letter to Premier Doug Ford, regarding Single-Use Plastics in Ontario
2. [Memorandum from Warren Leonard, Director, Emergency Management](#) – re: Nuclear Public Alerting System Spring Testing
3. [Memorandum form Vannitha Chanthavong, Planner, Region of Durham](#) – re: New Application for a Regional Official Plan Amendment, File Number: OPA 2019-002

#### Durham Municipalities Correspondence

1. [City of Pickering](#) – re: Resolution passed at their Council meeting held on March 25, 2019, regarding Planning and Development Department Report, PL 28-19, comments on Amendment #1 to the Growth Plan for the Greater Golden Horseshoe (2017)
2. [Township of Uxbridge](#) – re: Resolution passed at their General Purpose and Administration Committee meeting held on March 18, 2019, regarding supporting the Region of Durham resolution regarding Drafting a Streamlined By-law Regarding Recreational Cannabis Across Durham Region

3. [Town of Ajax](#) – re: Resolution passed at their Council meeting held on March 25, 2019, endorsing the Region of Durham resolution regarding Drafting a Streamlined By-law Regarding Recreational Cannabis Across Durham Region
4. [City of Pickering](#) – re: Resolution passed at their Council meeting held on March 25, 2019, endorsing the report passed by the Region of Durham on February 27, 2019, regarding the City of Vancouver Single-Use Items Reduction Strategy
5. [Town of Ajax](#) – re: Resolution passed at their Council meeting held on March 25, 2019, regarding endorsing the report passed by the Region of Durham on February 27, 2019, regarding the City of Vancouver Single-Use Items Reduction
6. [City of Oshawa](#) – re: Resolution passed at their Council meeting held on March 18, 2019, regarding Downed Elevators and Municipal Response

### **Other Municipalities Correspondence/Resolutions**

There are no Other Municipalities Correspondence/Resolutions

### **Miscellaneous Correspondence**

1. [Greater Toronto Airports Authority \(GTAA\)](#) – re: Correspondence from Howard Eng, President & Chief Executive Officer, to Regional Chair John Henry regarding development of an airport on the Pickering Lands
2. [Toronto and Region Conservation Authority \(TRCA\)](#) – re: Notice of Meeting to Approve the 2019 Non-Matching Levy for Toronto and Region Conservation Authority
3. [Durham Region Labour Council](#) – re: Requesting that Durham Region observes National Day of Mourning, Sunday April 28, 2019
4. [Stewardship Ontario](#) – re: Industry funding for Municipal Blue Box Recycling for the fourth quarter of the 2018 Program Year

### **Advisory Committee Minutes**

1. Durham Agricultural Advisory Committee (DAAC) minutes – [March 12, 2019](#)
2. Durham Region Roundtable on Climate Change (DRRCC) minutes – [March 15, 2019](#)

Members of Council – Please advise the Regional Clerk at [clerks@durham.ca](mailto:clerks@durham.ca), if you wish to pull an item from this CIP and include on the next regular agenda of the appropriate Standing Committee. Items will be added to the agenda if the Regional Clerk is advised by Wednesday noon the week prior to the meeting, otherwise the item will be included on the agenda for the next regularly scheduled meeting of the applicable Committee.

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.



# The Regional Municipality of Durham Information Report

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From: Commissioner & Medical Officer of Health  
Report: #2019-INFO-20  
Date: April 5, 2019

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**Subject:**

Update on a Proposal for a Consumption and Treatment Service in Oshawa

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**Recommendation:**

Receive for information.

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**Report:**

**1. Purpose**

- 1.1 To provide an update on Durham Region Health Department's (DRHD) efforts to support a proposal to the province for a Consumption and Treatment Service (CTS) in Durham Region to support residents that misuse opioids and other drugs.

**2. Background**

- 2.1 On October 22, 2018, the Ministry of Health and Long-Term Care (MOHLTC) announced a new CTS model that will replace the former Supervised Consumption Services and Overdose Prevention Site models established by the previous government.
- 2.2 On March 29, 2019, MOHLTC announced that it has approved 15 CTS sites. A list of approved sites is available on [MOHLTC's website](#). Further to this, MOHLTC announced that it will accept applications for new CTS sites on an ongoing basis. Applications will be reviewed as they are received. The [Consumption and Treatment Services: Application Guide](#) provides information and guidance on the provincial CTS program requirements and application process.
- 2.3 Mandatory services include supervised consumption and overdose prevention services, access to addictions treatment services, primary care, mental health, housing and/or other social supports, and harm reduction services.
- 2.4 Evidence shows that there is a reduction in illness and death from overdoses in areas that have supervised consumption services as well as lower rates of public

drug use and infectious diseases associated with shared needles.

- 2.5 Research findings show that such facilities increase community safety by preventing people from injecting in public places such as parking lots, parks or restrooms. Evidence to date also indicates that these sites are not associated with increased drug use or crime.
- 2.6 According to the Canadian Institute for Health Information's (CIHI) [Opioid-Related Harms in Canada](#) report, Oshawa has the 6<sup>th</sup> highest emergency department visit rate for opioid poisoning in Ontario.
- 2.7 Between 2017 and 2018, there were a total of 761 suspected opioid overdose calls to Durham Region Paramedic Services. Of these calls, 516 (68 per cent) were in Oshawa. A heat map of suspected opioid overdose paramedic calls is available at [durham.ca](http://durham.ca).
- 2.8 Organizations applying for a CTS must also apply to Health Canada for an exemption to Section 56.1 of the [Controlled Drugs and Substances Act](#) (CDSA) to operate supervised consumption services.

### **3. Current Status**

- 3.1 In partnership with the Central East LHIN (CELHIN), John Howard Society of Durham Region and Lakeridge Health, DRHD drafted a proposal to Health Canada and MOHLTC to establish a CTS in Oshawa.
- 3.2 Lakeridge Health led the development of the proposal as it is a part of its comprehensive and coordinated opioid strategy which includes prevention, harm reduction, treatment and enforcement.
- 3.3 DRHD supported the development of the proposal and application process.
- 3.4 Consultation began in December and continued through to March 26, 2019 with:
  - a. Community agencies (i.e., harm reduction service providers and health and social services agencies)
  - b. Community residents
  - c. Individuals with lived experience with drug addictions
  - d. Local politicians including the Mayor of Oshawa
  - e. The Oshawa Business Improvement Area (BIA)
- 3.5 The main goals of the consultation were to provide information on the proposal, gather feedback, determine the level of support for the proposal and gain a better understanding of community need.
- 3.6 A public consultation survey was available from February 22 to March 13, 2019. Of the 903 responses received, 549 respondents indicated they lived in Oshawa. All respondents lived (96 per cent), worked (49 per cent) or were students (13 per

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cent) in Durham Region. The results of the public consultation are available in the [Survey Report: Consumption and Treatment Services Community Consultation](#). Additionally, a public open house information night was held March 12, 2019 at the Oshawa Library McLaughlin Branch.

- 3.7 An online survey for downtown Oshawa BIA members was available from November to December 2018 and an information meeting was held February 20, 2019 at the downtown Oshawa BIA office.
- 3.8 BIA survey results indicate that 73 per cent of respondents agree there is an opioid crisis; 81 per cent believe there are benefits to having a CTS site in Oshawa; 53 per cent indicate they do not have concerns with a CTS; 54 per cent report noticing an increase in inappropriately disposed needles in the area surrounding their businesses; 42 per cent report having clients use substances in their facility or restroom.
- 3.9 Lakeridge Health, John Howard Society of Durham Region and DRHD surveyed individuals with lived experience in April 2018 and established a focus group of those with lived experience in December 2018.
- 3.10 Approximately 70 per cent of survey respondents stated they currently use drugs in public settings such as parking lots, parks or restrooms, while 30 per cent indicated they use substances in a private residence, often alone.
- 3.11 All focus group participants said they and or others would consider going to a CTS site to use. Almost all participants suggested a CTS location near or in downtown Oshawa was best and recommended that it be open in the afternoon and evening/night. Participants identified that access to social services at a CTS would be very beneficial.
- 3.12 On March 26, 2019 Lakeridge Health, John Howard Society of Durham Region and DRHD presented to Oshawa City Council requesting endorsement of the CTS application to Health Canada and MOHLTC. Oshawa City Council declined to endorse a plan to establish a CTS site in the city by a six to five vote.
- 3.13 DRHD continues to advance on the work to implement the actions in the [Durham Region Opioid Response Plan](#). Throughout the development of this plan, extensive consultation was undertaken, which is detailed in the [Durham Region Health Department Opioid Consultation Report](#).
- 3.14 The [Durham Region Opioid Response Plan](#), which aligns with the pillars of Health Canada's [Canadian Drugs and Substances Strategy](#), outlines six priority areas for action:
  - a. Coordinate surveillance activities and use of 'real-time' data from across sectors;
  - b. Support ongoing knowledge exchange/intelligence sharing related to opioids;
  - c. Increase public and service provider awareness of the connection between

- mental health, trauma and substance abuse;
- d. Increase treatment options that are relevant and accessible within Durham Region;
- e. Develop a local evidence-based harm reduction strategy that fosters service coordination and increased access to harm reduction services and supplies for priority populations; and
- f. Continue addressing illicit drug production, supply and distribution.

#### **4. Conclusion**

- 4.1 Lakeridge Health, John Howard Society of Durham Region and DRHD sought Oshawa City Council endorsement to submit a CTS application to Health Canada and MOHLTC.
- 4.2 Input was sought from key stakeholders, politicians and residents to inform the application.
- 4.3 Oshawa City Council declined to endorse a plan to establish a CTS site in the city by a six to five vote.
- 4.4 MOHLTC has announced that 15 CTS sites have been approved and that applications will be accepted on an ongoing basis.
- 4.5 MOHLTC will continue to assess proposals based on local conditions (e.g., morbidity, mortality and other proxy measures for drug use), capacity to provide a CTS (including proximity to similar services, child care centres, parks and schools), evidence of community support and ongoing community engagement, and accessibility.

Respectfully submitted,

Original signed by

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R.J. Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM  
Commissioner & Medical Officer of Health

**EARLY RELEASE OF REPORT**



The Regional Municipality of Durham  
Report

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To: Planning and Economic Development Committee  
From: Commissioner of Planning and Economic Development  
Report: #2019-P-\*\*  
Date: May 7, 2019

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**Subject:**

Public Meeting Report

Application to Amend the Durham Regional Official Plan, submitted by Beverley Turf Farms Ltd., to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels, in the Township of Brock, File: OPA 2019-002.

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**Recommendation:**

That the Planning and Economic Development Committee recommends to Regional Council:

- A) That Commissioner's Report #2019-P-\*\* be received for information; and
  - B) That all submissions received be referred to the Planning Division for consideration.
- 

**Report:**

**1. Purpose**

1.1 On March 8, 2019, Clark Consulting Services Ltd., on behalf of Beverley Turf Farms Ltd., submitted an application to amend the Regional Official Plan (ROP) to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Brock.



## **2. Site Description**

- 2.1 The subject land is located on the north side of Regional Road 50, approximately one kilometer east of the Hamlet of Gamebridge, south of Talbot River, municipally known as B1625 Regional Road 50, Part of Lot 8, Concession 11, in the Township of Brock (refer to Attachment 1).
- 2.2 The agricultural parcel is primarily flat and rectangular shape. The farm is occupied by an existing dwelling and a small fram shed located at the southern portion of the property. A woodland exists at the northerly edge of the property.
- 2.3 Beverley Turf Farms Ltd. is a private corporation owned by Peter McCuaig. The company began its sod operation in 1984 and now has approximately 12 full-time seasonal employees. The business markets and sells sod to clients across most of Ontario. The applicant presently owns a total of approximately 260 ha (642 acres) of agricultural land and farms on a total of 289.35 ha (715 acres).
- 2.4 The surrounding uses located adjacent to the subject land include:
- a) North - a woodland, the Talbot River, and the Brock/Ramara municipal boundary;
  - b) East - agricultural lands and rural residences;
  - c) South - Regional Road 50, rural residences, and agricultural lands; and
  - d) West - rural residences and agricultural lands
- 2.5 The proposed amendment to the ROP would permit the severance of a 0.66 ha (1.63 acre) parcel of land containing a surplus farm dwelling from an 80 ha (197 acre) agricultural parcel. The dwelling is not utilized by a farm employee and is currently being rented. The retained farm will continue to be used for sod production.

## **3. Reports Submitted in Support the Application**

A Planning Justification Report prepared by Clark Consulting Services Ltd., has been submitted in support of the application. The report concludes that the proposed amendment meets the objectives and requirements of the Provincial Policy Statement, the Greenbelt Plan, and the ROP.

- 3.1 A Farm Holdings Inventory Report prepared by Clark Consulting Services Ltd., indicates Beverley Turf Farms Ltd. presently owns five sod farms in the Township of Brock and the Township of Ramara (refer to Attachment 2). Three of the agricultural

properties contain three existing dwellings. One dwelling is the applicant's primary farmhouse, one dwelling is used as the business's main office, and one dwelling is currently being rented to persons not involved in the farming operation.

- 3.2 A Phase One Environmental Site Assessment completed GHD indicated that there are no significant concerns from an environmental site contamination perspective.

#### **4. Provincial Plans and Policies**

- 4.1 The subject land is located within the Protected Countryside of the Greenbelt Plan. Both the Greenbelt and the Provincial Policy Statement permit the severance of a residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that a residential dwelling is not permitted on the proposed retained farm lot created by the severance.

#### **5. Durham Regional Official Plan Context**

- 5.1 The subject land is located within the "Prime Agricultural Areas" designation of the ROP. The northerly portion of the site contains Key Natural Heritage and/or Hydrologic Features. Severance applications for agricultural uses may be considered in accordance with the relevant policies of Sub-Section 9A of the ROP.
- 5.2 Policy 9.A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:
- a) the dwelling is not needed for a farm employee;
  - b) the farm parcel is a size which is viable for farm operations;
  - c) for sites within the Protected Countryside of the Greenbelt Plan, the dwelling was in existence as of December 16, 2004; and
  - d) the farm parcel is zoned to prohibit any further severances or the establishment of any residential dwelling.

#### **6. Consultation**

- 6.1 The ROP Amendment has been circulated to a variety of agencies, including the Ministry of Municipal Affairs and Housing; the Township of Brock; the Regional Health Department; the Lake Simcoe Region Conservation Authority; and the Durham Agricultural Advisory Committee.

## **7. Public Consultation**

- 7.1 Anyone who attends the public meeting may present an oral submission, and/or provide a written submission to the Planning and Economic Development Committee on the proposed amendment. Also, any person may make written submissions at any time before Regional Council makes a decision.
- 7.2 If a person or public body does not make oral submissions at a public meeting, or does not make written submissions before the proposed official plan amendment is adopted, the person or public body:
- a) is not entitled to appeal the decision of the Region of Durham to the Local Area Planning Tribunal (LPAT) (formerly the Ontario Municipal Board); and
  - b) may not be added as a party to the hearing of an appeal before the LPAT, as appropriate, unless in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.
- 7.3 Anyone who wants to be notified of Regional Council's decision on the proposed ROP Amendment must submit a written request to:

Brian Bridgeman, MCIP, RPP  
Commissioner of Planning and Economic Development  
Planning and Economic Development Department  
Regional Municipality of Durham  
Durham Regional Headquarters  
605 Rossland Road East  
Whitby, ON L1N 6A3

## **8. Future Regional Council Decision**

- 8.1 The Planning and Economic Development Committee will consider the proposed ROP Amendment at a future meeting and will make a recommendation to Regional Council. Council's decision will be final unless appealed.
- 8.2 All persons who make oral submissions, or have requested notification in writing, will be given notice of the future meeting of the Planning and Economic Development Committee and Regional Council at which the subject application will be considered.

## **9. Attachments**

Attachment #1: Location Sketch

Attachment #2: Beverley Turf Farms Ltd. Agricultural Land Holdings

Respectfully submitted,

Original signed by

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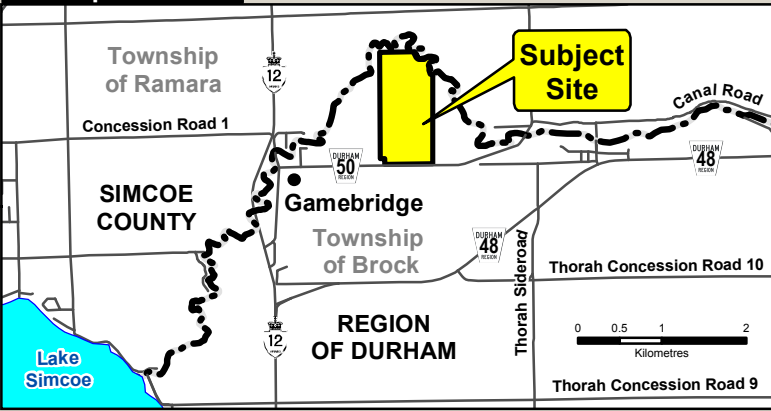
Brian Bridgeman, MCIP, RPP  
Commissioner of Planning and  
Economic Development

Recommended for Presentation to Committee

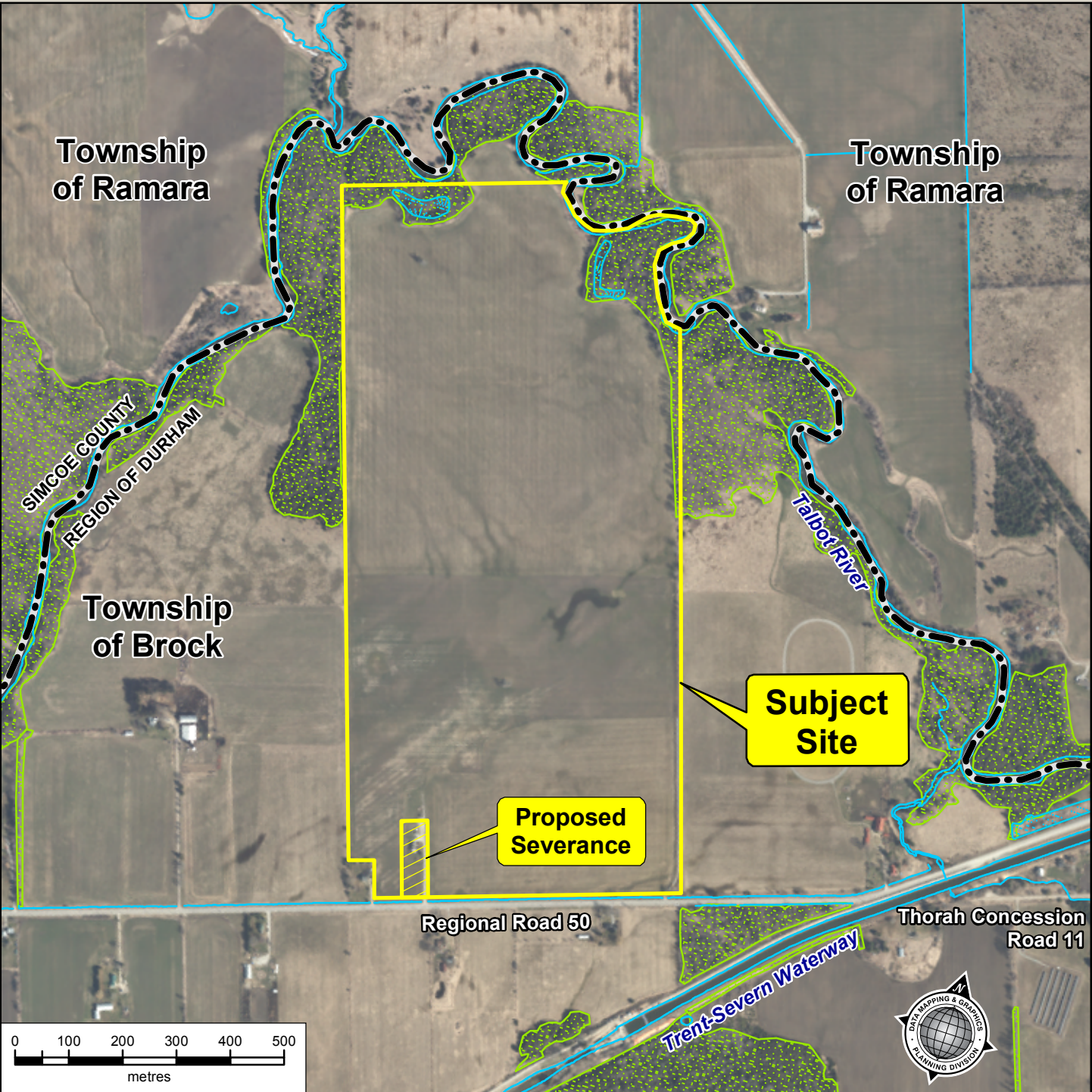
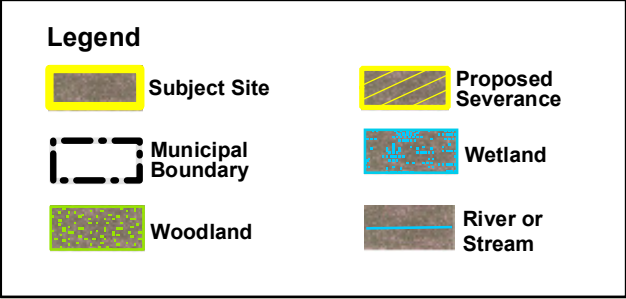
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Elaine C. Baxter-Trahair  
Chief Administrative Officer

**Municipal Context**



**Attachment #1**  
**Commissioner's Report: #2019-P-\*\***  
**File: OPA 2019-002**  
**Municipality: Township of Brock**



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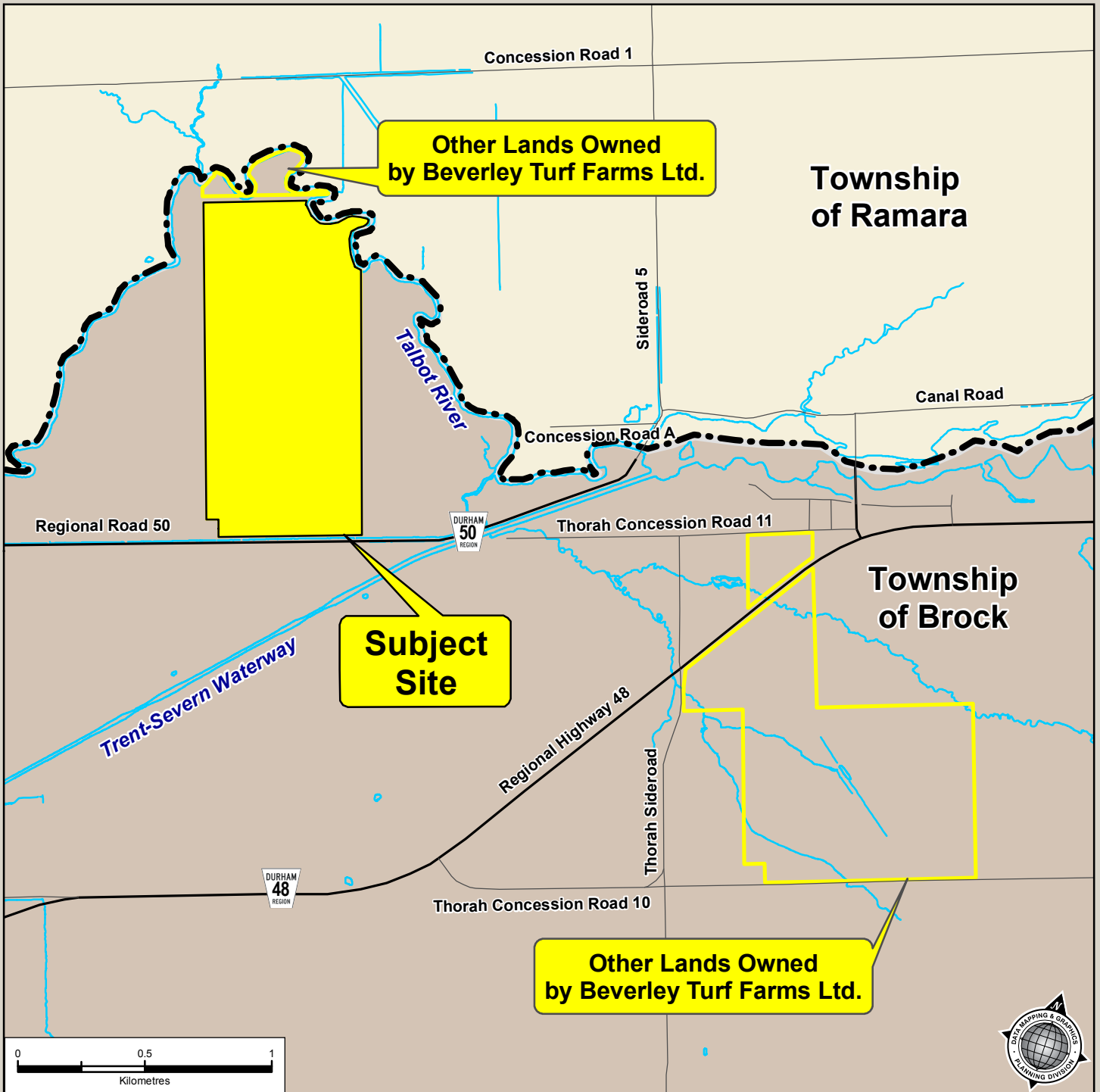
**Municipal Context**



**Attachment #2**  
**Commissioner's Report: #2019-P-\*\***  
**File: OPA 2019-002**  
**Municipality: Township of Brock**

**Legend**

- Subject Site
- Municipal Boundary
- Other Lands Owned by Beverley Turf Farms Ltd.



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The Region hereby disclaims all representations and warranties.



**Afreen Raza**

MAR 27 10:31 AM '19

**From:** Carol Hancock  
**Sent:** March-27-19 10:31 AM  
**To:** Doug Ford; doug.ford@pc.ola.org; Rod Phillips (rod.phillipsco@pc.ola.org); minister.mecp@ontario.ca  
**Cc:** Elaine Baxter-Trahair; Susan Siopis; Ralph Walton; John Presta  
**Subject:** Correspondence from Regional Chair John Henry re: Single-Use Plastics in Ontario  
**Attachments:** 03272019 - Premier Ford - Single Use Plastics.pdf

Good morning, please find attached correspondence from John Henry, Regional Chair and CEO of the Region of Durham with respect to our concern of the growing single-use plastic problem in Ontario.

Thank you,

*Carol*



**Carol Hancock | Executive Assistant to the Regional Chair and CEO**  
 Regional Municipality of Durham | Office of the Regional Chair & Chief Administrative Officer  
 605 Rossland, Road East, Whitby, Ontario L1N 6A3  
 905.668.7711 ext 2001 or 1.800.372.1102 ext 2001  
 Corporate Values: • Ethical Leadership • Accountability • Service Excellence • Continuous Learning and Improvement • Inclusion

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**C.S. - LEGISLATIVE SERVICES**

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Take Appr. Action



The Regional Municipality  
of Durham

Office of the Regional Chair

605 ROSSLAND ROAD EAST  
PO BOX 623  
WHITBY, ON L1N 6A3  
CANADA

905-668-7711  
1-800-372-1102  
Fax: 905-668-1567  
john.henry@durham.ca

durham.ca

**John Henry**  
Regional Chair and CEO

March 27, 2019

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

Dear Premier Ford:

**Re: Single-Use Plastics in Ontario**

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The Council of the Regional Municipality of Durham recently has engaged in much discussion on the growing use of single-use plastics in Ontario. These plastics are considered litter and impact the global environment. Council has been following the actions taken in other jurisdictions such as Vancouver and Nova Scotia to ban or limit the use of many single-use items. While these actions are laudable, Durham Region Council fears they are not of adequate scale to truly address the single-use plastic problem.

Currently in Ontario, municipalities are responsible for operating residential blue box systems, organic Green Bin programs and managing residual waste disposal. Plastic packaging as well as compostable packaging are a growing component of these waste streams. Many of the plastic materials placed in the market do not have any viable end use and often displace recyclable paper, metal and glass packaging. Municipalities in Ontario need the Province to act to stop the growth of these difficult to manage, single-use plastics.

The Resource Recovery and Circular Economy Act, 2016 (RRCEA) provides the government with the authority to apply actions to address the growing plastic problem. The RRCEA contains provisions to require producers to reduce the generation of plastic waste, promote better types of plastics, encourage the use of more sustainable alternatives to single-use plastics and to ban the use of unnecessary plastic packaging.



Provincial leadership is needed in the following areas to address the growing plastic problem in Ontario:

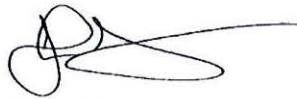
1. Encourage the development of plastics recycling markets. Where plastic markets do not exist either due to technology or economic barriers, Ontario should encourage a ban on these plastics or, at the very least, energy recovery solutions.
2. Conduct a full review of single-use items with bans enacted on those single-use items deemed most detrimental to the environment due to lack of end use markets.
3. Finally, producers and operators must be mandated to proactively seek out recyclable alternatives to single-use plastics.

Many of these actions are already under consideration in the recently released *Reducing Litter and Waste in Our Communities: Discussion Paper* and should be implemented as soon as possible. The Region of Durham respectfully requests confirmation of the timing for implementation of full extended producer responsibility, especially for plastic packaging.

The Region of Durham encourages the Premier and Minister of the Environment, Conservation and Parks to use the authority under the RRCEA to proactively address the growing single-use plastic problem in Ontario and to work with the federal government to establish a national plastics reduction program for Canada.

Any of the above initiatives will go a long way to restore the recycling and recovery industry in the Province along with expected growth of many local jobs throughout Ontario.

Yours truly,



John Henry  
Regional Chair and CEO

- c: The Honourable Rod Phillips, Minister of the Environment,  
Conservation and Parks  
Ms. Elaine Baxter-Trahair, Chief Administrative Officer  
Ms. Susan Siopis, Commissioner of Works  
Mr. Ralph Walton, Director of Legislative Services



April 5, 2019

To Regional Chair and Members of Regional Council

**RE: Nuclear Public Alerting System Spring Testing**

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**The Regional  
Municipality of  
Durham**

Office of the Chief  
Administrative Officer

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Fax: 905-430-8635

[durham.ca](http://durham.ca)

**Warren Leonard**  
**M.Sc.**  
Director

The Region of Durham Emergency Management Office will be carrying out the semi-annual spring testing of the nuclear public alerting system. This test is part of the system's maintenance program and helps to raise public awareness.

Testing will take place between 9 a.m. and 5 p.m. over two days:

- On **Monday, May 6, 2019** there will be a test of the automated telephone notification system. People and businesses who receive this phone call will hear a message explaining the test.
- On **Tuesday, May 7, 2019** there will be a test of the outdoor sirens. The sirens will sound for up to one minute (sirens would sound for at least three minutes in the event of an actual nuclear emergency). The sirens are located within three kilometres of the nuclear generation stations.

This only a test; no action is required.

Cell phone, radio and TV alerts are tested separately by the Province on Ontario and will not be part of the May 6 and 7 tests.

Corporate Communications is conducting an awareness campaign to advise the public of the spring test, including a public service announcement, public notice and social media campaign.

In the month leading up to the test, information will be posted on the Region's website, and Twitter and Facebook accounts. We encourage staff from your respective organizations to monitor these channels and share the information through your own accounts as appropriate.

If you hear from members of the community who have questions about the test, the Durham Emergency Management Office would be happy to speak with them. Our team can be reached at 1-866-551-5373.



For more information about the nuclear public alerting system, visit [durham.ca/NuclearPreparedness](http://durham.ca/NuclearPreparedness).

Please feel free to distribute this information as you deem appropriate.

If you have any questions, please do not hesitate to contact me.  
Thank you for your support.

Yours truly,

Original signed by:

Warren Leonard, M.Sc.  
Director, Emergency Management

cc: Elaine Baxter-Trahair, C.A.O.

**The Regional  
Municipality of  
Durham**

Office of the Chief  
Administrative Officer

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[durham.ca](http://durham.ca)

**Warren Leonard**  
**M.Sc.**  
Director



# Interoffice Memorandum

The Regional Municipality of Durham  
Planning and Economic Development Department  
Planning Division

To: Mr. Ralph Walton  
Regional Clerk/Director of Legislative Services  
Regional Clerk

From: Vannitha Chanthavong, MCIP, RPP  
Planner

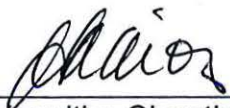
Date: April 1, 2019

Re: **New Application for a Regional Official Plan Amendment**  
File Number: **OPA 2019-002**  
Applicant: Beverley Turf Farms Ltd.  
Location: Part Lot 8, Concession 11  
Municipality: Township of Brock

The above application was received by this department and circulated to agencies for their comments.

***The purpose of the application is to permit severance of a non-abutting surplus farm dwelling.***

If you have any questions, please do not hesitate to contact me.

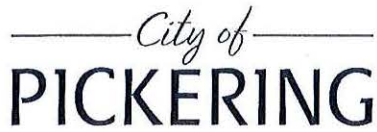
  
Vannitha Chanthavong, MCIP, RPP  
Planner

Encl. Application package

### C.S. - LEGISLATIVE SERVICES

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"Service Excellence for our Communities"



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March 27, 2019

Steve Clark, Minister  
Municipal Affairs and Housing  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto, ON M5H 2E5

Subject: Director, City Development & CBO, Report PLN 05-19  
City of Pickering Comments on Proposed Amendment 1 to the  
Growth Plan for the Greater Golden Horseshoe, 2018  
File: A-1400-001-19

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on March 25, 2019 and the following recommendations were adopted:

1. That the comments in Report PLN 05-19 on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017, be endorsed, and that the Province be requested to:
  - A. revise the lands to be identified within a Provincially Significant Employment Zone, by:
    1. excluding the following lands from Zone 3:
      - a. lands designated "Mixed Use Areas - City Centre", (a designated Urban Growth Centre), bounded by the hydro corridor on the east, Bayly Street on the south, Sandy Beach Road on the west, and Highway 401 on the north; and the row of properties along the south side of Bayly Street, west of the hydro corridor, also designated "Mixed Use Areas – Mixed Corridors", as shown on Appendix II; and
      - b. the Durham Live lands generally bounded by the CN Railway lands to the west and north, Church Street to the east, and Bayly Street to south;"
    2. including the following employment areas in Pickering within Zone 3:

- a. the Whites Road Prestige Employment Area in the West Shore Neighbourhood on the south side of Highway 401 and west of Whites Road, as shown on Appendix III; and
  - b. the Seaton Employment Lands along Highway 407, also referred to as the Pickering Innovation Corridor, as shown on Appendix IV;
- B. initiate a strategy to financially assist municipalities to service vacant employment lands in strategic locations, removing one of the key barriers to economic growth;
- C. investigate financial tools (e.g., parking space levy, fuel tax, sales tax, payroll tax, vehicle kilometers travelled tax, highway tolls, development charges, land value capture, property tax, development charges, fare increases, etc.) and funding opportunities to enable the timely implementation of transportation and other municipal infrastructure and services, to support the implementation of the Growth Plan; and
2. That a copy of Report PLN 05-19 be forwarded to the Minister of Municipal Affairs and Housing, Members of Parliament for Pickering-Uxbridge and Ajax, the Region of Durham, and other Durham Area Municipalities.

Please find attached a copy of Report PLN 05-19. Should you require further information, please do not hesitate to contact the City Development at 905.420.4617.

Yours truly,



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City Clerk  
SC/lr

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Ralph Walton, Regional Clerk, Director of Legislative Services (via email)  
Alexander Harras, (Acting) Clerk, Town of Ajax (via email)  
Thom Gettinby, CAO/Clerk, Township of Brock (via email)

Mary Medeiros, (Acting) City Clerk, City of Oshawa (via email)  
Anne Greentree, Municipal Clerk, Municipality of Clarington (via email)  
John Paul Newman, Director of Corporate Services/Clerk, Township of Scugog  
(via email)  
Debbie Leroux, Director of Legislative Services/Clerk, Township of Uxbridge  
(via email)  
Christopher Harris, Clerk, Town of Whitby (via email)

Director, City Development & CBO

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**From:** Kyle Bentley  
Director, City Development & CBO

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**Subject:** City of Pickering Comments on Proposed Amendment 1 to the  
Growth Plan for the Greater Golden Horseshoe, 2017  
File: D-1240-018

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**Recommendation:**

1. That the comments in Report PLN 05-19 on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017, be endorsed, and that the Province be requested to:
  - A. revise the lands to be identified within a Provincially Significant Employment Zone, by:
    1. excluding the following lands from Zone 3:
      - a. lands designated "Mixed Use Areas - City Centre", (a designated Urban Growth Centre), bounded by the hydro corridor on the east; Bayly Street on the south, Sandy Beach Road on the west, and Highway 401 on the north; and the row of properties along the south side of Bayly Street, west of the hydro corridor, also designated "Mixed Use Areas – Mixed Corridors", as shown on Appendix II; and
      2. including the following employment areas in Pickering within Zone 3:
        - a. the Whites Road Prestige Employment Area in the West Shore Neighbourhood on the south side of Highway 401 and west of Whites Road, as shown on Appendix III; and
        - b. the Seaton Employment Lands along Highway 407, also referred to as the Pickering Innovation Corridor, as shown on Appendix IV;
    - B. initiate a strategy to financially assist municipalities to service vacant employment lands in strategic locations, removing one of the key barriers to economic growth;
    - C. investigate financial tools (e.g., parking space levy, fuel tax, sales tax, payroll tax, vehicle kilometers travelled tax, highway tolls, development charges, land value capture, property tax, development charges, fare increases, etc.) and funding opportunities to enable the timely implementation of transportation and other municipal infrastructure and services, to support the implementation of the Growth Plan; and
  2. That a copy of Report PLN 05-19 be forwarded to the Minister of Municipal Affairs and Housing, Members of Parliament for Pickering-Scarborough East and Ajax-Pickering, the Region of Durham, and other Durham Area Municipalities.



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**Executive Summary:** On January 15, 2019, the Provincial Government released proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017. The deadline for comments is February 28, 2019. The purpose of this report is to provide formal comments to the Province on the proposed changes.

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**Financial Implications:** The recommendations of this report do not present any financial implications.

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## 1. Background

Between 2015 and 2017, the previous Provincial Government conducted a coordinated review of the four Provincial Land Use Plans. During the coordinated review process, City Council offered formal comments to the Province twice. The first time was in May 2015 (via Report PLN 02-15, dated May 11, 2015), and the second time in September 2016 (via Report PLN 15-16, dated September 12, 2016). Council's resolutions from these reports are provided as Attachment #1 to this report.

In May of 2017, new versions of the Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan, Oak Ridges Moraine Conservation Plan, and the Niagara Escarpment Plan came into effect.

Following the election of the new Provincial Government in 2018, the Ontario Growth Secretariat initiated a consultation process with representatives from regional and local municipalities, other key public agencies, the development industry, and stakeholders.

From September to November 2018, the Province hosted six working group sessions around the following themes:

- Planning for Employment
- Agricultural System Policies
- Natural Heritage System Policies
- Settlement Area Boundary Expansions
- Intensification and Density Targets, and
- Planning for Major Transit Station Areas

The purpose of the working group sessions was to identify implementation challenges with the 2017 Growth Plan policies, and to offer and discuss potential solutions. Staff from the City Development Department participated in these sessions.

On January 15, 2019, the Province released proposed changes to the Growth Plan, entitled "Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017". The Province indicated that the proposed changes are intended to address potential barriers to increasing the supply of housing, creating jobs and attracting investments. The document has been posted on the Province's Environmental Bill of Rights Registry and the deadline for comments is February 28, 2019. The Ministry has been advised that the City will be submitting Council's comments after the deadline.

## 2. Comments on the proposed changes to the Growth Plan

The proposed changes to the 2017 Growth Plan range from minor grammatical revisions that change the nuance or tone of certain statements and provisions, to major modifications to policies on employment lands planning, agricultural system and natural heritage system mapping, settlement area boundary adjustments, rural settlements, intensification and designated greenfield area density targets, and major transit station delineation. The proposed revisions appear to address certain concerns expressed and solutions offered by participants during the provincially hosted working group sessions.

Table 1 to this report outlines key proposed changes to the Growth Plan and staff's corresponding comment (see Appendix I). High level comments are discussed below, with recommendations in **bold** on those matters that require further review and consideration by the Province.

### 2.1 Employment Planning

Under the 2017 Growth Plan, the designation of new employment areas and the conversion of employment areas to non-employment uses can only be considered at the time of a "municipal comprehensive review" (MCR). A MCR is a new official plan or an official plan amendment initiated by an upper- or single-tier municipality under section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan. Durham Region must undertake the required MCR.

Amendment 1 would enable upper-tier municipalities to designate new employment areas through an official plan amendment without the need for a MCR. Municipalities would also have increased autonomy to convert lands within existing employment areas to non-employment uses prior to a MCR, subject to specific criteria. Furthermore, Amendment 1 proposes the creation of "provincially significant employment zones", which could only be considered for conversion to a non-employment use through a MCR.

The 2017 Growth Plan requires upper-tier municipalities to develop an employment strategy in collaboration with the Province and lower-tier municipalities. The strategy must establish a minimum density target reflecting an average for all employment areas in the Region. Amendment 1 removes the requirement for upper-tier municipalities to develop an employment strategy, and maintains the requirement for minimum employment density targets. However, the targets are for individual employment areas within the Region, not an average across the Region.

The proposed revisions to the employment policies are discussed in more detail below.

#### a) Proposed Provincially Significant Employment Zones

A new policy is being introduced that allows the Minister to identify Provincially Significant Employment Zones (PSEZ), and stipulates that such lands must be protected and cannot be converted outside of a MCR.

As part of the supporting information for Amendment 1, the Province mapped proposed PSEZs in the Greater Golden Horseshoe. The map identifies a PSEZ south of Highway 401 in Ajax and Pickering. For Pickering, the lands include employment areas in the Brock Industrial Neighbourhood, with the exception of the Pickering Nuclear Station and Durham Water Pollution Treatment Plan (see the Map, Attachment #2).

However, the "Mixed Use Areas – City Centre" lands bounded by Sandy Beach Road, Bayly Street, Highway 401, and the hydro corridor, and the "Mixed Use Areas – Mixed Corridors" strip along the south side of Bayly Street, west of the hydro corridor, were inadvertently included in the proposed PSEZ. These lands allow for a mix of uses, including residential and commercial uses, which would not be permitted within the proposed PSEZ. Therefore, these lands (shown in Appendix II) need to be removed from the proposed PSEZ in South Pickering. Staff has already brought this matter to the attention of Provincial staff.

In addition, the Province's Map does not identify the Whites Road Prestige Employment Area (designated in the Pickering Official Plan) in the West Shore Neighbourhood at Highway 401 and Whites Road (see Appendix III). This employment area is strategically located to Highway 401 and the CN main rail line, is an integral part of the City's employment lands base, and should also be recognized as a Provincially Significant Zone.

Furthermore, although the Seaton Employment Lands fall within the Central Pickering Development Plan, it is strategic in terms of its location to Highway 407, the Seaton Community, and the proposed airport site. These lands should be included as a Provincially Significant Employment Zone (see Appendix IV).

To advance the development of lands within PSEZs, the Province should initiate a strategy to financially assist municipalities to service vacant employment lands in strategic locations. This would complement the Province's plan to remove barriers to economic growth by creating shovel-ready employment lands. This will also assist in lands being "open for business" and creating "complete communities".

It is therefore recommended that:

- i) **The Province revise the lands to be included as a PSEZ, by:**
  - **excluding the following areas from the proposed PSEZ in Pickering:**
    - **lands designated "Mixed Use Areas - City Centre", (a designated Urban Growth Centre), bounded by the hydro corridor on the east, Bayly Street on the south, Sandy Beach Road on the west, and Highway 401 on the north; and the row of properties along the south side of Bayly Street, west of the hydro corridor, also designated "Mixed Use Areas – Mixed Corridors", as shown on Appendix II; and**

- **including the following employment areas in Pickering in a PSEZ:**
    - **the Whites Road Prestige Employment Area in the West Shore Neighbourhood, on the south side of Highway 401 and west of Whites Road, reflected in Appendix III; and**
    - **the Seaton Employment Lands along Highway 407, also referred to as the Pickering Innovation Corridor, reflected in Appendix IV; and**
  - ii) **The Province initiate a strategy to financially assist municipalities in servicing vacant employment lands in strategic locations, removing one of the key barriers to economic growth.**
- b) Removing the requirement for Employment Strategies**

The proposed policy revision that would remove the need for upper-tier municipalities to develop an employment strategy does not preclude the option to do one. The Region has indicated that the preparation of an employment strategy or similar study is part of their MCR scope of work. Staff agree that there is value in undertaking an employment strategy to: develop employment targets; set the right regulatory climate for investment; facilitate timely servicing of employment areas; and monitor performance and do benchmarking.

**c) Setting Multiple Density Targets for Employment Lands**

Staff supports the proposed policy revision that would require upper-tier municipalities, in consultation with lower-tier municipalities, to set density targets for each employment areas, rather than set a single target for the entire Region. The nature of employment uses and their corresponding densities vary between employment areas and between municipalities. Setting employment density targets for individual employment areas would more accurately reflect expectations of job growth.

## **2.2 Urban Settlement Area Boundary Expansions**

Under the 2017 Growth Plan, settlement area boundaries can only be adjusted or expanded through a MCR. Amendment 1 would enable municipalities to advance residential and commercial development by permitting upper-tier municipalities to “adjust” or “expand” an urban settlement area boundary changes outside of a MCR.

A key condition to enable an “adjustment” to an urban settlement area boundary, in advance of a MCR, is that there must be no net increase in the land area of the settlement. A key condition to enable an “expansion” to an urban settlement area boundary, in advance of a MCR, is that the expansion not exceed 40 hectares (100 acres). However, adjustments or expansions to a settlement area boundary excludes rural settlements and settlements in the Greenbelt Area.

Staff has no objection to these proposed policy changes, as they provide flexibility to municipalities seeking minor adjustments or expansions to settlement area boundaries in advance of a MCR, while protecting the integrity of the Greenbelt Area.

## 2.3 Rural Settlements

### a) Minor adjustments to rural settlement boundaries

Under the 2017 Growth Plan, new multiple lots or units for residential development in rural areas are directed to locations with a residential designation in an official plan or a residential zoning approved as of June 16, 2006. Amendment 1 would enable minor adjustments to the boundary of a rural settlement, outside of a MCR. Key criteria to be considered under this policy include that the change constitute a "minor rounding out" of the existing development, and that the affected settlement be outside the Greenbelt Area.

### b) Implications for the Hamlet of Claremont

As noted earlier, City Council commented on the coordinated review of the Provincial Land Use Plans in 2015 and 2016. Council requested policy modifications to enable consideration of a minor rounding out of the Hamlet of Claremont through a municipally-initiated study. Council's request acknowledged rezoning and subdivision applications, submitted by Geranium Homes, for lands in the Claremont area that pre-date the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan. The Province did not change the Provincial Plans as Council requested.

In late 2017, Geranium Homes (now the Claremont Development Corporation) appealed to the Local Planning Appeal Tribunal (LPAT). The grounds for the appeal was City Council's failure to make a decision on the rezoning and subdivision applications within the prescribed period under the *Planning Act*. In their appeal, the Claremont Development Corporation submitted that the LPAT should review their applications against the policy framework in place at the date of the applications. Following a pre-hearing conference in March, 2018, the Claremont Development Corporation requested an adjournment of the Hearing scheduled for October 2018. The matter of rounding out the rural settlement boundary in the Hamlet of Claremont remains before the LPAT.

## 2.4 Natural Heritage System (NHS) and Agricultural System Mapping

Under the 2017 Growth Plan, the Natural Heritage and Agricultural System mapping came into effect upon issuance by the Province. Through Amendment 1, provincial Natural Heritage and Agricultural System mapping would not apply until it is included in the upper-tier official plan. Until then, the policies of the Growth Plan would apply to the NHS systems designated in local and regional official plans. Upper- and lower-tier municipalities may refine the system boundaries and request changes to the provincial mapping. Once the refined system boundaries are incorporated in the upper-tier official plan, future changes can only be made through a MCR.

The new policies are consistent with previous comments provided to the Province. Council requested the Province revise the timeframe for municipalities to bring their official plans into conformity with the NHS and agricultural systems mapping to enable consultation, analysis and refinement of the system maps.

## 2.5 Intensification and Density Targets

Under the 2017 Growth Plan, the Region of Durham is required to achieve an annual minimum **intensification target** for development within the built boundary of:

- 40 percent until the next MCR (the same target as the 2006 Growth Plan)
- 50 percent from completion of the MCR until 2031
- 60 percent from 2032 until 2041

whereas under Amendment 1, the Region of Durham would be required to achieve a less aggressive target of:

- 40 percent until the next MCR (the same target as the 2006 Growth Plan)
- 50 percent from completion of the MCR until 2041

Under the 2017 Growth Plan, greenfield areas in the Region of Durham are required to achieve a **minimum density** of residents and jobs per hectare of:

- 50 for lands currently designated within an official plan (the same density as the 2006 Growth Plan)
- 60 for the same lands as the above lands, following the completion of a MCR
- 80 for new greenfield areas designated arising from the MCR

whereas under Amendment 1, greenfield areas in the Region of Durham would be required to achieve a less aggressive density of:

- 50 for lands currently designated within an official plan, or designated following the completion of a MCR (the same density as the 2006 Growth Plan)

The reduction in both the intensification targets and minimum greenfield density requirements are discussed further below.

### a) Different Intensification Targets

Amendment 1 distinguishes different minimum intensification targets for municipalities, which would take effect at the next MCR, as follows:

- The City of Hamilton and the Regions of Peel, Waterloo and York will have a minimum intensification target of 60 percent;
- The Cities of Barrie, Brantford, Guelph, Orillia and Peterborough **and the Regions of Durham**, Halton and Niagara will have a minimum intensification target of **50 percent**;
- The City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington will establish a minimum intensification target based on maintaining or improving upon their current minimum intensification target.

This approach acknowledges the diversity of urban communities within the Greater Golden Horseshoe, and differentiates larger urban centres from smaller ones. Durham Region staff indicate they agree with the reduction of the region-wide intensification target to 50 percent. Pickering has been a significant contributor to meeting the intensification target in Durham as almost 100 percent of the City's growth has been classified as "intensification" since the approval of the first Growth Plan (Pickering's built boundary generally corresponds with the CP Rail line). With Pickering's growth shifting to include greenfield development in Seaton, the City's intensification rate has decreased by 28 percent. As such, the Region will need to rely more on the other area municipalities in Durham to meet the region-wide target.

#### **b) Different Greenfield Area Density targets**

Amendment 1 also proposes different greenfield density targets for different municipalities, rather than the "one size fits all" approach. The following targets would take effect at the next MCR and would apply to the entire designated greenfield area (with the exception of net-outs):

- The City of Hamilton and the Regions of Peel, Waterloo and York will have a minimum designated greenfield area density target of 60 residents and jobs per hectare;
- The Cities of Barrie, Brantford, Guelph, Orillia and Peterborough and the **Regions of Durham**, Halton and Niagara will have a **minimum designated greenfield area density target of 50 residents and jobs per hectare**;
- The City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington will have a minimum designated Greenfield area density target of 40 residents and jobs per hectare.

The new policy is consistent with previous comments provided to the Province. Council recommended that the initial Greenfield area density target of 50 residents and jobs : combined per hectare be maintained, or that the Province consider developing a more context sensitive approach for 905 communities.

#### **2.6 Major Transit Station Areas (MTSA)**

Under the 2017 Growth Plan, the limits of major transit station areas are to be defined in the Durham Official Plan through a MCR. For a station area, such as Pickering that is served by the GO Transit rail network, the minimum density of 150 residents and jobs per hectare is to be achieved.

Amendment 1 would enable municipalities to delineate station boundaries, and identify minimum density targets for these areas prior to a MCR, in accordance with the *Planning Act's* provisions for major transit station areas. The Amendment would also permit the radius of a major transit station area to range from an approximate 500 to 800 metres, instead of only 500 metres.

Pickering's major transit station area generally corresponds with our Urban Growth Centre. These lands are designated Mixed Use Areas – City Centre in the Official Plan, and were recently rezoned to facilitate development. The boundary of the City Centre is less than 500 metres from the GO station facility in some locations, and more than 800 metres from the facility in other locations.

## 2.7 Other comments

Consistent with previous comments provided on the proposed 2017 Growth Plan, Staff again highlights that the Growth Plan seeks to focus growth in areas that have infrastructure in place. However, with intensification also comes the need for improvements and upgrades to both hard and soft services. Accordingly, it is recommended that:

- i) **The Province, as part of supporting the implementation of the Growth Plan, investigate financial tools (e.g., parking space levy, fuel tax, sales tax, payroll tax, vehicle kilometers travelled tax, highway tolls, development charges, land value capture, property tax, development charges, fare increases, etc.) and funding opportunities to enable the timely implementation of transportation and other municipal infrastructure and services.**

Lastly, there is still uncertainty regarding the relation between the Growth Plan and the Central Pickering Development Plan (CPDP), which includes the Seaton Urban Area. The CPDP was established under the *Ontario Planning and Development Act, 1994*, but the instrument to implement the CPDP was the *Ontario Planning Act*. The Province has yet to clarify whether the Growth Plan applies to the lands within the CPDP, or not.

## 3. Conclusions and Recommendations

Proposed Amendment 1 to the Growth Plan addresses many of the comments and concerns that were previously expressed by municipalities and stakeholders during the 2015-2017 coordinated land use plan review process, or which were expressed at recent working group sessions hosted by the Province in late 2018.

More specifically, the proposed amendments to the Growth Plan give greater recognition to the diverse character and context of local communities in the Growth Plan area, and provide more flexibility to upper-tier municipalities to implement the Growth Plan without departing from the general spirit and intent of the current plan. However, there are still a number of minor but important aspects that require further consideration by the Province.

Staff will continue to keep Council informed as the Province moves toward concluding the consideration of Amendment 1 to the Growth Plan.



**Appendices**

- Appendix I Table 1 – Proposed Key Changes to the Growth Plan & Staff Response
- Appendix II Map of lands to be removed from the Proposed Provincially Significant Employment Zone in Pickering
- Appendix III Map of Prestige Employment Area at Whites Road and Highway 401
- Appendix IV Map of Seaton Employment Corridor

**Attachments**

1. Council Resolutions in relation to Report PLN 02-15, dated May 11, 2015 and Report PLN 15-16, dated September 12, 2016
2. Province's proposed Provincially Significant Employment Zone in Pickering

**Prepared By:**



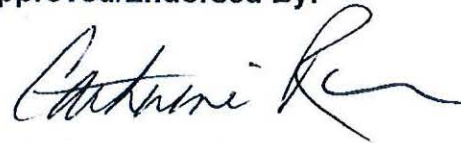
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**Approved/Endorsed By:**



Catherine Rose, MCIP, RPP  
Chief Planner



Kyle Bentley, P. Eng.  
Director, City Development & CBO

Recommended for the consideration  
of Pickering City Council



Feb. 19, 2019

Tony Prevedel, P.Eng.  
Chief Administrative Officer

**Table 1 – Proposed Key Changes to the  
Growth Plan & Staff Response**

## Proposed Key Changes to the 2017 Growth Plan and Staff Response

	Current Growth Plan Policy	Proposed Policy Change By Amendment 1	Response
<b>Employment Planning:</b>			
1.	<p>The 2017 Growth Plan does not use the term “Provincially Significant Employment Zones” (PSEZs), or have any policy provisions for such lands.</p>	<p>A new policy (2.2.5.12) is added enabling the Minister to identify “Provincially Significant Employment Zones” (PSEZ). Lands identified with a PSEZ must be protected and cannot be converted outside of a municipal comprehensive review (MCR).</p> <p>In addition to the Growth Plan Amendment, the Province has identified proposed Provincially Significant Zones on a map entitled “Proposed Framework for Provincially Significant Employment Zones”. Proposed Zone 3 includes part of Pickering (see Attachment #2 to this Report).</p> <p>The Province is also seeking comments on the proposed PSEZs.</p>	<p>The identification of Provincially Significant Employment Zones (PSEZ) is consistent with previous comments provided to the Province.</p> <p>The proposed PSEZ, identified on the Province’s map, includes lands within the City Centre (a designated Urban Growth Centre in the Growth Plan) situated between the hydro corridor on the east side, Sandy Beach Road on the west side, and Bayly Street on the south side, and lands along Bayly Street that is designated “Mixed Use Area – Mixed Corridors, that need to be removed from the proposed PSEZ (see Appendix II to this report).</p> <p>Furthermore, the proposed PSEZ omitted the Whites Road Prestige Employment Area in the West Shore Neighbourhood at Highway 401 and Whites Road. This area is strategically located to Highway 401 and CN main rail line, and should therefore be included (see Appendix III to this report).</p> <p>Although the Seaton Employment Lands fall within the Central Pickering Development Plan, it is strategic in terms of its location to Highway 407, the Seaton Community, and the proposed airport site, should be included</p>

	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
			<p>as a PSEZ (see Appendix IV to this report).</p> <p>Furthermore, the Province should initiate a strategy to assist financially municipalities to service vacant employment lands in strategic locations, as this would complement the Province's plan to remove barriers for economic growth by creating shovel-ready employment lands.</p>
2.	<p>Current policy permits the conversion of lands within employment areas to non-employment uses, but only through a MCR where it is demonstrated that certain criteria can be met.</p>	<p>A new policy (2.2.5.10) that creates a one-time window to allow municipalities to undertake conversions of lands within existing employment areas to non-employment uses between the effective date of the proposed amendments and their next MCR, provided that certain criteria be satisfied, including the requirement that a significant number of jobs on those lands be maintained.</p> <p>This policy would not apply to lands within identified Provincially Significant Employment Zones.</p>	<p>Staff supports this policy because MCRs in a two tier system could take 4 or more years to complete, and amidst a fast changing global economy, a one-window opportunity to consider a conversion may prove helpful. This policy may also assist with converting brownfield sites in a timely fashion.</p>
3.	<p>Current policy states that upper-tier municipalities, in consultation with lower-tier municipalities, will designate all employment areas, including "Prime Employment Areas" in their official plans.</p> <p>Prime Employment Areas refers to land extensive uses or uses with low employment</p>	<p>The policies requiring the designation and identification of "Prime Employment Areas" are removed (various subsections in policies 2.2.5.6 to 2.2.5.9).</p> <p>A modified policy (2.2.5.5) states that municipalities should designate and preserve lands located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and</p>	<p>Staff supports the removal of this designation. With the proposed introduction of Provincially Strategic Employment Zones, the Prime Employment designation becomes moot. The term Prime Employment was ambiguous because it referred to warehousing and logistical uses that typically result in low employment densities.</p> <p>Staff supports the intent of the modified policy 2.2.5.5 as it</p>

	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
	densities that require locations adjacent to or near major goods movement facilities and corridors.	logistics, and appropriate associated uses.	provides a stronger policy regime to designate and protect employment lands in strategic locations other than Provincially Significant Employment Zone.
4.	<p>Current policy requires upper-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, to each develop an employment strategy that:</p> <p>a) establishes a minimum density target for all employment areas,...</p>	<p>Modified policy (now 2.2.5.13) removes the requirement for upper-tier municipalities to develop an employment strategy, and requires upper-tier municipalities, in consultation with lower-tier municipalities, to set minimum density targets for each employment area rather than a single target for the upper-tier.</p>	<p>Although the revised policy removes the requirement for the development of an employment strategy, it does not preclude the option to do one. The Region has indicated that the development of an employment strategy or similar study is part of their MCR scope of work. Staff agree that there is value in undertaking an employment strategy to: develop employment targets; set the right regulatory climate for investment; facilitate timely servicing of employment areas; and monitor performance and do benchmarking.</p>
5.	<p>Current policy states that upper-tier municipalities, in consultation with lower-tier municipalities, will designate all employment areas, including any prime employment areas, in official plans and protect them for appropriate employment uses over the long-term.</p>	<p>A revised policy (2.2.5.6) that states that upper-tier municipalities, in consultation with lower-tier municipalities, will designate all employment areas in official plans and protect them for appropriate employment uses over the long-term, and that for greater certainty, employment area designations may be incorporated into upper-tier official plans by amendment at any time, in advance of the next municipal comprehensive review.</p> <p>Note: This policy revision must be read in conjunction with item #3 in this table.</p>	<p>The principle of allowing greater flexibility to upper-tier municipalities to incorporate employment area designations in advance of the next municipal comprehensive review is supported, if such a process does not compromise the outcome of any land use study that may be underway in the area.</p>

	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
6.	The 2017 Growth Plan does not contain a policy that speaks to the redevelopment of employment lands that are outside of designated employment areas.	A new policy (2.2.5.14) states that the redevelopment of employment lands outside employment areas should retain space for a similar number of jobs to remain accommodated on site.	Discussions between City and Ministerial staff confirmed that the employment lands this policy is referring to are lands outside of designated employment (industrial) areas, such as the City Centre lands or along a mixed use corridor – also referred to as population-related employment.  Staff supports the spirit or intent of the policy.
7.	The 2017 Growth Plan policies regarding existing office parks do not contain language regarding the protection of office parks against non-employment uses.	A modified policy (2.2.5.16.d)) stipulates that within existing office parks, the introduction of non-employment uses should be limited, and should not negatively impact the primary function of the area.	Staff supports this policy as it puts more emphasis on the importance of protecting the function and integrity of office parks.
8.	The 2017 Growth Plan states that municipalities will plan employment areas by integrating employment areas with adjacent non-employment areas and developing vibrant, mixed use areas and innovation hubs, where appropriate.	A modified policy (2.2.5.7.c)) is added that requires municipalities, when planning employment areas, to provide for an appropriate interface to maintain land use compatibility between employment areas and adjacent non-employment areas.	Staff supports the proposed modification because the integration of employment areas with non-employment areas requires caution depending on the development characteristics and potential land use compatibility conflicts.
<b>Urban Settlement Area Boundary Expansions:</b>			
9.	The 2017 Growth Plan contains an exhaustive list of criteria and detailed study requirements to justify the feasibility and location of settlement area boundary expansions.	A modified policy (2.2.8.3) focuses on key outcomes rather than specifying the types of studies to justify the feasibility and location of settlement area boundary expansions.	Staff agrees with this policy approach, because the Provincial Plans provide sufficient guidance/direction to enable regional and local municipalities to further detail the criteria and type of studies required in their official plans.

	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
10.	The 2017 Growth Plan permits the consideration of a settlement area boundary expansion (or adjustment) only through a municipal comprehensive review process, subject to meeting certain criteria.	<p>A new policy (2.2.8.4) allows municipalities to adjust settlement area boundaries in advance of a municipal comprehensive review, subject to certain criteria, including the following:</p> <ul style="list-style-type: none"> <li>• there would be no net increase in land within the settlement area;</li> <li>• the lands that are added will be planned to achieve at least the minimum Greenfield Area density target or the Employment Lands density target, as appropriate;</li> <li>• the location of any lands added to the settlement area will satisfy the applicable requirements of policy 2.2.8.3;</li> <li>• the affected settlement areas are not rural settlements or in the Greenbelt Area;</li> <li>• the settlement area to which lands would be added is serviced by municipal water and wastewater systems and there is sufficient reserve infrastructure capacity to service the lands; and</li> <li>• the additional lands and associated forecast growth will be fully accounted for in the land needs assessment associated with the next municipal comprehensive review.</li> </ul>	<p>Staff has no objection to the new exception policy as it provides more flexibility for municipalities seeking minor boundary adjustments to round-out or refine urban settlement area boundaries.</p> <p>In addition, the required criteria provide the necessary checks and balances to ensure the urban footprint remains the same, and that a transparent and accountable planning process is followed.</p>
11.	The 2017 Growth Plan permits the consideration of a settlement area boundary expansion only through a municipal comprehensive review	A new policy (2.2.8.5) states that a settlement area boundary expansion may occur in advance of a municipal comprehensive review, subject to certain criteria, including the following:	This exception policy provides more flexibility to municipalities to seek minor settlement area boundary expansions (with an associated gross increase in the settlement area footprint) in advance of the municipal

	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
	process, subject to meeting certain criteria.	<ul style="list-style-type: none"> <li>• the lands that are added will be planned to achieve at least the minimum Greenfield Area density target or the Employment Lands density target, as appropriate;</li> <li>• the location of any lands added to a settlement area will satisfy the applicable requirements of policy 2.2.8.3;</li> <li>• the affected settlement area is not a rural settlement or in the Greenbelt Area;</li> <li>• the settlement area is serviced by municipal water and wastewater systems and there is sufficient reserve infrastructure capacity to service the lands; and</li> <li>• the additional lands and associated forecasted growth will be fully accounted for in the land needs assessment associated with the next municipal comprehensive review.</li> </ul> <p>A new policy (2.2.8.6) is proposed that settlement area boundary expansions undertaken in accordance with newly proposed policy 2.2.8.5 above, will not be larger than 40 hectares.</p>	comprehensive review, and the required criteria provide the necessary checks and balances to ensure a transparent and accountable planning process is followed.
<b>Rural Settlements:</b>			
12.	The 2017 Growth Plan defines "designated greenfield area" as follows: "Lands within settlement areas but outside of delineated built-up areas that have been designated in an official plan for development and are required to	The Province proposes to revise the definition of "Designated Greenfield Areas" (section 7, Definitions) by clarifying that rural settlements are not part of the designated greenfield area.	The Province included this revision because various municipalities made the interpretation, based on the current definition of "designated greenfield areas" to include rural settlements in their greenfield density calculations. Rural settlements accommodate communities that cannot be classified and



	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
	accommodate forecasted growth to the horizon of this Plan. Designated greenfield areas do not include excess lands.”		planned for in the same context as designated greenfield areas within urban areas, particularly in terms of lot size, transit service availability, and residential mix. Staff supports the proposed revision.
13.	The 2017 Growth Plan does not allow the minor adjustments to rural settlement boundaries, with the exception of settlements within the Greenbelt Area that are identified as Towns or Villages, but only through a municipal comprehensive review (MCR).	<p>A new policy (2.2.9.7) that allows minor adjustments to rural settlement boundaries outside of a MCR, subject to the certain criteria including the following:</p> <ul style="list-style-type: none"> <li>• the affected settlement area is not in the Greenbelt Area;</li> <li>• the change would constitute minor rounding out of existing development, in keeping with the rural character of the area;</li> <li>• confirmation that water and wastewater servicing can be provided in an appropriate manner that is suitable for the long term.</li> </ul>	<p>Through the coordinated review of the Provincial Land Use Plans process, the City pointed out that the Hamlet of Claremont is the subject of outstanding rezoning and subdivision applications (by Geranium Homes) that pre-date the implementation of the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan. Accordingly, Council requested the Province modify the policies in the previous Growth Plan, Greenbelt Plan and Oak Ridges Moraine Conservation Plan to enable the consideration of the minor rounding out of the Hamlet of Claremont through a municipally initiated study, in accordance with certain criteria. The Province declined Council's request.</p> <p>Geranium Homes (now the Claremont Development Corporation) has since appealed their applications to the Local Planning Appeal Tribunal. Whether their development application can proceed rests with the Tribunal.</p>

	Current Growth Plan Policy	Proposed Policy Change By Amendment 1	Response
<b>Natural Heritage System and Agricultural System Mapping:</b>			
14.	<p>The 2017 Growth Plan states that the Province would be mapping a Natural Heritage System (NHS) for the rural area of the Greater Golden Horseshoe. The Plan requires municipalities to incorporate the mapping into their official plans.</p> <p>The Plan also states that the NHS in official plans in effect as of July 1, 2017, will continue to be protected in accordance with the relevant official plan until the Provincial NHS has been issued.</p> <p>The Provincial mapping comes into effect upon issuance.</p> <p>The Province has issued the NHS System map for the Greater Golden Horseshoe.</p>	<p>A new policy (4.2.2.4) specifies that the provincial mapping of the NHS for the Growth Plan does not apply until it has been implemented in the upper-tier official plan.</p> <p>Until that time, the policies in the Growth Plan that refer to the NHS for the Growth Plan will apply outside settlement areas to the NHS identified in official plans that were approved and in effect as of July 1, 2017.</p> <p>The transitional provisions are also changed. The provisions now stipulate that municipalities will continue to protect the NHS designated in local official plan in accordance with the NHS policies in the Growth Plan (not in accordance with local official plan policies), until the Province's NHS has been implemented in upper-tier official plans.</p>	<p>The new policy is consistent with previous comments provided to the Province. Council requested that the Province revise the timeframe for municipal conformity to commence upon completion of the documents listed in the Supplementary Directions to the Growth Plan (which includes the Province's NHS mapping).</p> <p>The City recently brought the Pickering Official Plan into conformity with the 2014 PPS, the 2005 Greenbelt Plan, and the Regional Official Plan, and updated the natural heritage mapping (through Amendment 27).</p> <p>Amendment 27 basically meets the Natural Heritage System Policies in the Growth Plan. However, minor amendments to the City's Official Plan will need to be incorporated at a future date.</p>
15.	<p>The 2017 Growth Plan states that the Province will identify an Agricultural System for the Greater Golden Horseshoe.</p> <p>The Province's Implementation Procedures for the Agricultural System in Ontario's Greater Golden Horseshoe, (2018), stipulates that the Province's Agricultural Land Base</p>	<p>A new policy (4.2.6.8) specifies that the provincial mapping of the Agricultural land base for the Growth Plan does not apply until it has been implemented in upper-tier official plans.</p> <p>In the interim, prime agricultural areas identified in upper-tier official plans that were in effect as of July 1, 2017 will be considered the agricultural land base for the purposes of this Plan.</p>	<p>The new policy is consistent with previous comments provided to the Province. Council requested that the Province revise the timeframe for municipal conformity to commence upon completion of the documents listed in the Supplementary Directions to the Growth Plan (which includes the implementation of the Province's Agricultural System Land Base mapping).</p> <p>It would allow more time for the Region to consult, analyze and</p>

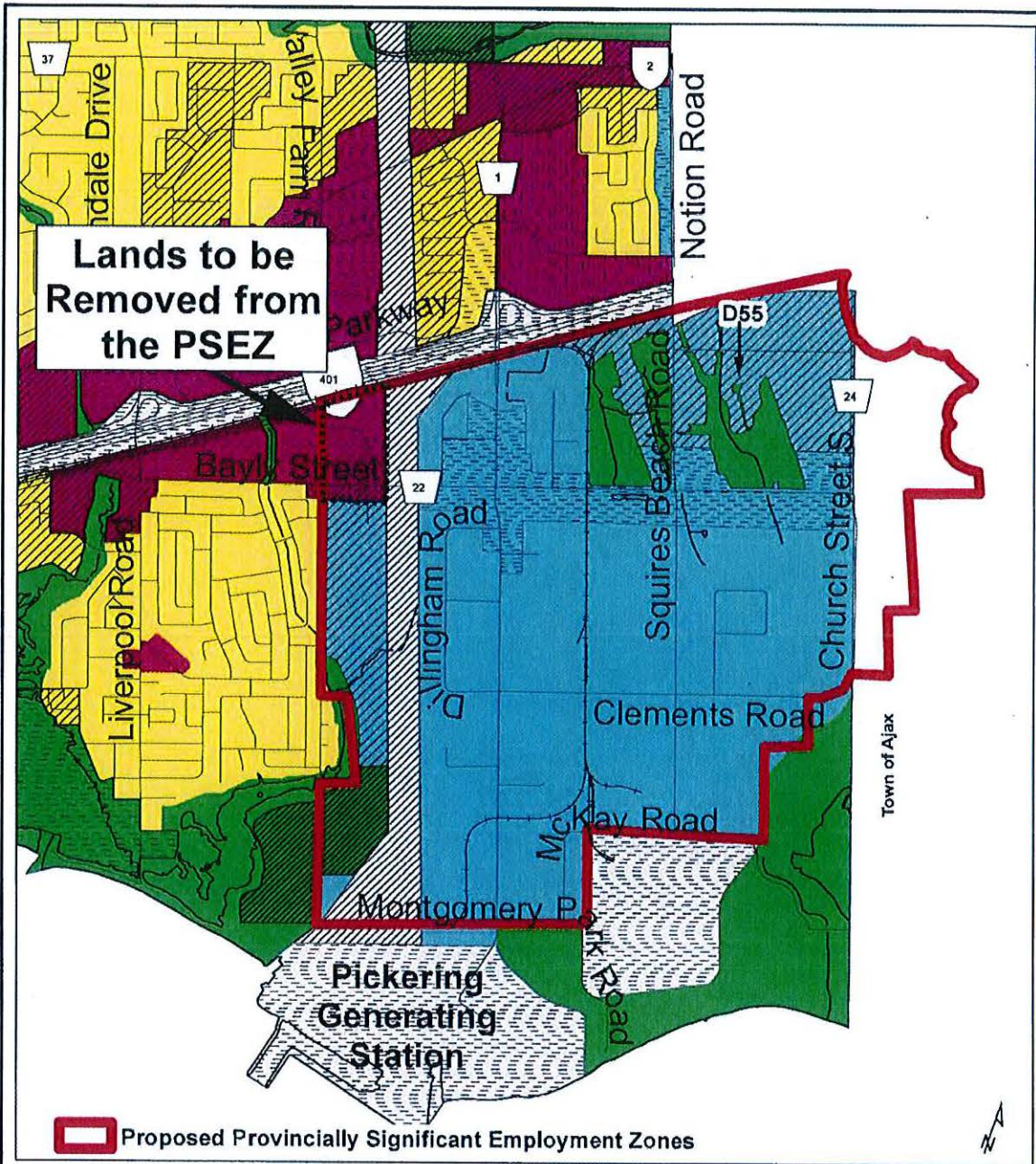
	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
	mapping, issued on February 9, 2018, applies to all land use planning decisions in the GGH.		make refinements to the provincially issued mapping before the lower-tier municipalities bring their plans into conformity with upper-tier plans.
16.	The 2017 Growth Plan states that upper-tier municipalities may only refine the provincial mapping of the agricultural land base and the natural heritage system through a municipal comprehensive review (MCR).	New policies (4.2.2.6 and 4.2.6.9) state that upper-tier municipalities can refine and implement provincial mapping in advance of the municipal comprehensive review. Also, for upper-tier municipalities, the initial implementation of provincial mapping may be done separately for each lower-tier municipality.	This provides flexibility to the Region to implement the provincial mapping. However, Durham Region has already started its MCR. Therefore, it is unlikely the Region will use this policy.
17.	The 2017 Growth Plan only stipulates that upper-tier municipalities must implement the provincial mapping of the agricultural land base and the Natural Heritage System in their official plans through a MCR. However, it does not speak to the option of further refinements afterwards, or the means by which this could occur.	New policy language (4.2.2.6 and 4.2.6.9) specifies that once provincial mapping of the agricultural land base and the Natural Heritage System respectively has been implemented in official plans, further refinements may only occur through a MCR.	Staff agrees. Sufficient time should be allowed for implementation and monitoring of the provincial mapping, and to create a level of certainty and predictability for the public, land owners and developers.
<b>Intensification and Density Targets:</b>			
18.	The 2017 Growth Plan requires that by the year 2031, and for each year thereafter: <ul style="list-style-type: none"> <li>a minimum of 60 percent of all residential development occurring annually within each upper-tier</li> </ul>	A revised policy (2.2.2.1) establishes different minimum intensification targets for groups of municipalities. The following targets would take effect at the next MCR with no further required increase of the targets in 2031: <ul style="list-style-type: none"> <li>the City of Hamilton and the Regions of Peel, Waterloo and</li> </ul>	This approach acknowledges the diversity of urban communities within the Greater Golden Horseshoe, and differentiates larger urban centres from smaller ones. Regional staff agree with the reduction of the region-wide intensification target to

	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
	<p>municipality will be within the delineated built-up area; and</p> <ul style="list-style-type: none"> <li>by the time the next municipal comprehensive review (MCR) is approved and in effect, and each year until 2031, a minimum of 50 percent of all residential development occurring annually within each upper-tier will be within the delineated built-up area.</li> </ul>	<p>York will have a minimum intensification target of 60 percent;</p> <ul style="list-style-type: none"> <li>the Cities of Barrie, Brantford, Guelph, Orillia and Peterborough and the Regions of Durham, Halton and Niagara will have a minimum intensification target of 50 percent;</li> <li>the City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington will establish a minimum intensification target based on maintaining or improving upon their current minimum intensification target.</li> </ul>	<p>50 percent. Targets for each municipality will be set through the MCR. It may be difficult for Pickering to achieve this target on a city-wide basis as growth is now shifting from the intensification of lands within the built up area of South Pickering to development on the greenfield lands in Seaton.</p>
19.	<p>The 2017 Growth Plan requires the designated greenfield area of each upper-tier municipality to be planned to achieve, within the horizon of the Plan (2041), a minimum density target of not less than 80 residents and jobs per hectare.</p> <p>In the interim, designated greenfield areas approved as of July 1, 2017, such as Seaton, can maintain the original target (50 residents and jobs per hectare) until the MCR, after which, these lands must be planned to meet a minimum density of 60 residents and jobs per hectare.</p>	<p>A new policy (2.2.7.2) establishes different minimum designated greenfield area density targets for groups of municipalities. The following targets would take effect at the next MCR and apply to the entire designated greenfield area (with the exception of net-outs):</p> <ul style="list-style-type: none"> <li>for the City of Hamilton and the Regions of Peel, Waterloo and York: a minimum density target of 60 residents and jobs per hectare;</li> <li>for the Cities of Barrie, Brantford, Guelph, Orillia and Peterborough and the Regions of Durham, Halton and Niagara: a minimum density target of 50 residents and jobs per hectare;</li> <li>for the City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and</li> </ul>	<p>The new policy is consistent with previous comments provided to the Province.</p> <p>The revised policy acknowledges the diversity of urban communities within the Greater Golden Horseshoe, and the approach is more context sensitive.</p>

	<b>Current Growth Plan Policy</b>	<b>Proposed Policy Change By Amendment 1</b>	<b>Response</b>
		Wellington: a minimum density target of 40 residents and jobs per hectare.	
20.	The 2017 Growth Plan states that the councils of upper-tier municipalities may request an alternative intensification target or an alternative density target for designated greenfield areas through the next comprehensive review, subject to meeting certain criteria.	<p>Revised policies (2.2.2.4 and 2.2.7.4) permit upper-tier municipalities to apply for alternative intensification and designated greenfield area density targets respectively, where it can be demonstrated that the target cannot be achieved, and subject to meeting certain criteria.</p> <p>The new policies do not limit consideration of alternative targets to the MCR.</p>	<p>The revised policy addresses, in part, previous comments requesting the Province consider developing a context sensitive approach for 905 communities, if the greenfield density target of 50 residents and jobs per hectare was to be increased.</p> <p>Staff supports the proposed policy revision, because it acknowledges the diversity of urban communities within the Growth Plan, and provides more flexibility for situations where local conditions warrant alternative targets.</p>
<b>Major Transit Station Areas:</b>			
21.	The 2017 Official Plan states that for upper-tier municipalities, council's may request an alternative to the density target established in the Growth Plan for a major transit station area, through a municipal comprehensive review (MCR).	A new policy (2.2.4.4) is introduced that does not require a MCR to request a density target for a Major Transit Station Area that is lower than the applicable target in the Growth Plan, subject to simplified criteria.	<p>Staff supports the option for a lower density target and for simplified criteria, as certain criteria are too prescriptive and may not have been attainable in some locations.</p> <p>Although not explicitly stated in the Amendment, the Minister must approve a request for a lower target.</p>
22.	The 2017 Growth Plan does not contain a provision that permits upper-tier municipalities to delineate and set density targets for major transit station areas in advance of the MCR.	A new policy (2.2.4.5) allows upper-tier municipalities to delineate and set density targets for major transit station areas in advance of the MCR, so long as the Protected Major Transit Station Area provisions of the <i>Planning Act</i> are used.	<p>This policy may assist those upper-tier municipalities that have already advanced the identification and planning of Major Transit Stations within their jurisdictions, to move forward with implementation and related initiatives.</p> <p>Durham Region has already begun delineating and</p>

	Current Growth Plan Policy	Proposed Policy Change By Amendment 1	Response
			<p>planning for Major Transit Station Areas as a component of their MCR. The number, unique characteristics and density planning for the Major Transit Station Areas will inform the Region's land needs assessment process.</p> <p>While other upper- or single-tier municipalities may find this policy advantageous, it is unlikely that Durham Region will advance major transit station planning ahead of their MCR.</p>
23.	<p>The definition of "major transit station areas" in the 2017 Growth Plan refers to an area within an approximate <b>500 metres</b> radius of a transit station, representing about a 10-minute walk.</p>	<p>Section 7, Definitions, of the Amendment revised the definition of "major transit station areas" as an area that can range from an approximate <b>500 to 800 metres</b> radius of a transit station, representing about a 10-minute walk.</p>	<p>The inclusion of "800 metres" provides greater flexibility in delineating and planning Major Transit Stations, recognizing unique aspects of transit station areas, such as their size, shape, walksheds, and existence of natural and other barriers.</p>

**Map of Lands to be removed from the  
Proposed Provincially Significant  
Employment Zone in Pickering**



**Lands to be Removed from the PSEZ**

**Proposed Provincially Significant Employment Zones**

Excerpt from  
Schedule I of the  
**Pickering  
Official Plan**  
Edition 8

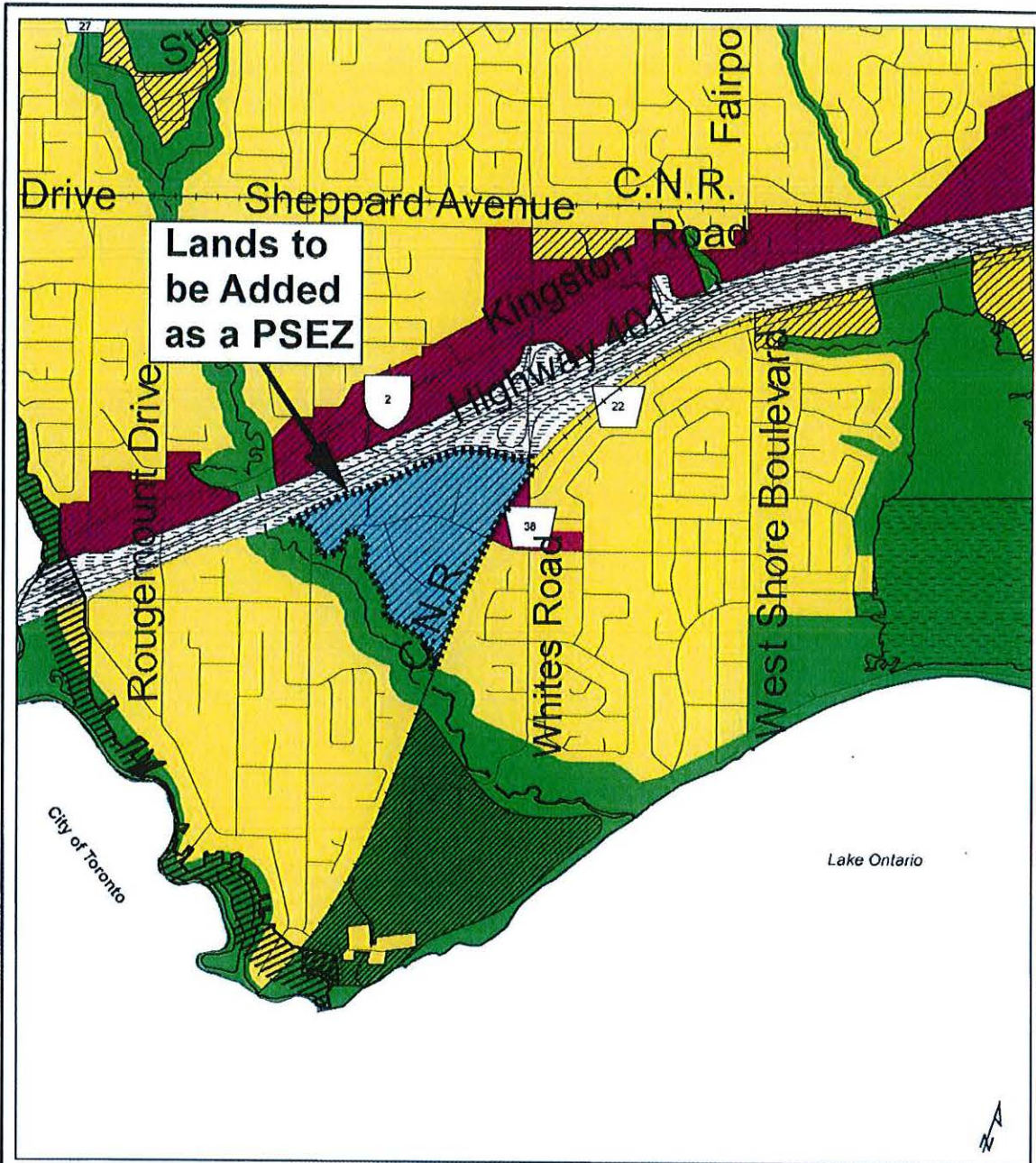
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|---|---|---|
| <p><b>Open Space System</b></p> <ul style="list-style-type: none"> <li> Seaton Natural Heritage System</li> <li> Natural Areas</li> <li> Active Recreational Areas</li> <li> Marina Areas</li> <li> Hamlet Heritage Open Space</li> </ul> <p><b>Rural Settlements</b></p> <ul style="list-style-type: none"> <li> Rural Clusters</li> <li> Rural Hamlets</li> </ul> | <p><b>Land Use Structure</b></p> <p><b>Urban Residential Areas</b></p> <ul style="list-style-type: none"> <li> Low Density Areas</li> <li> Medium Density Areas</li> <li> High Density Areas</li> </ul> <p><b>Mixed Use Areas</b></p> <ul style="list-style-type: none"> <li> Local Nodes</li> <li> Community Nodes</li> <li> Mixed Corridors</li> <li> Specialty Retailing Node</li> <li> City Centre</li> </ul> <p><b>Employment Areas</b></p> <ul style="list-style-type: none"> <li> General Employment</li> <li> Prestige Employment</li> <li> Mixed Employment</li> </ul> | <p><b>Freeways and Major Utilities</b></p> <ul style="list-style-type: none"> <li> Controlled Access Areas</li> <li> Potential Multi Use Areas</li> </ul> <p><b>Seaton Symbols</b></p> <ul style="list-style-type: none"> <li> District Park</li> <li> Community Park</li> <li> High School</li> </ul> <p><b>Other Designations</b></p> <ul style="list-style-type: none"> <li> Deferrals</li> <li> Greenbelt Boundary</li> </ul> |
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City of Pickering  
City Development Department  
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This Map Form part of Schedule I of the Pickering Official Plan and  
Must Be Read in Conjunction with the Other Schedules and the Text



**Appendix No. III to  
Report No. PLN 05-19**

**Map of Prestige Employment Area  
at Whites Road and Highway 401**



**Lands to be Added as a PSEZ**

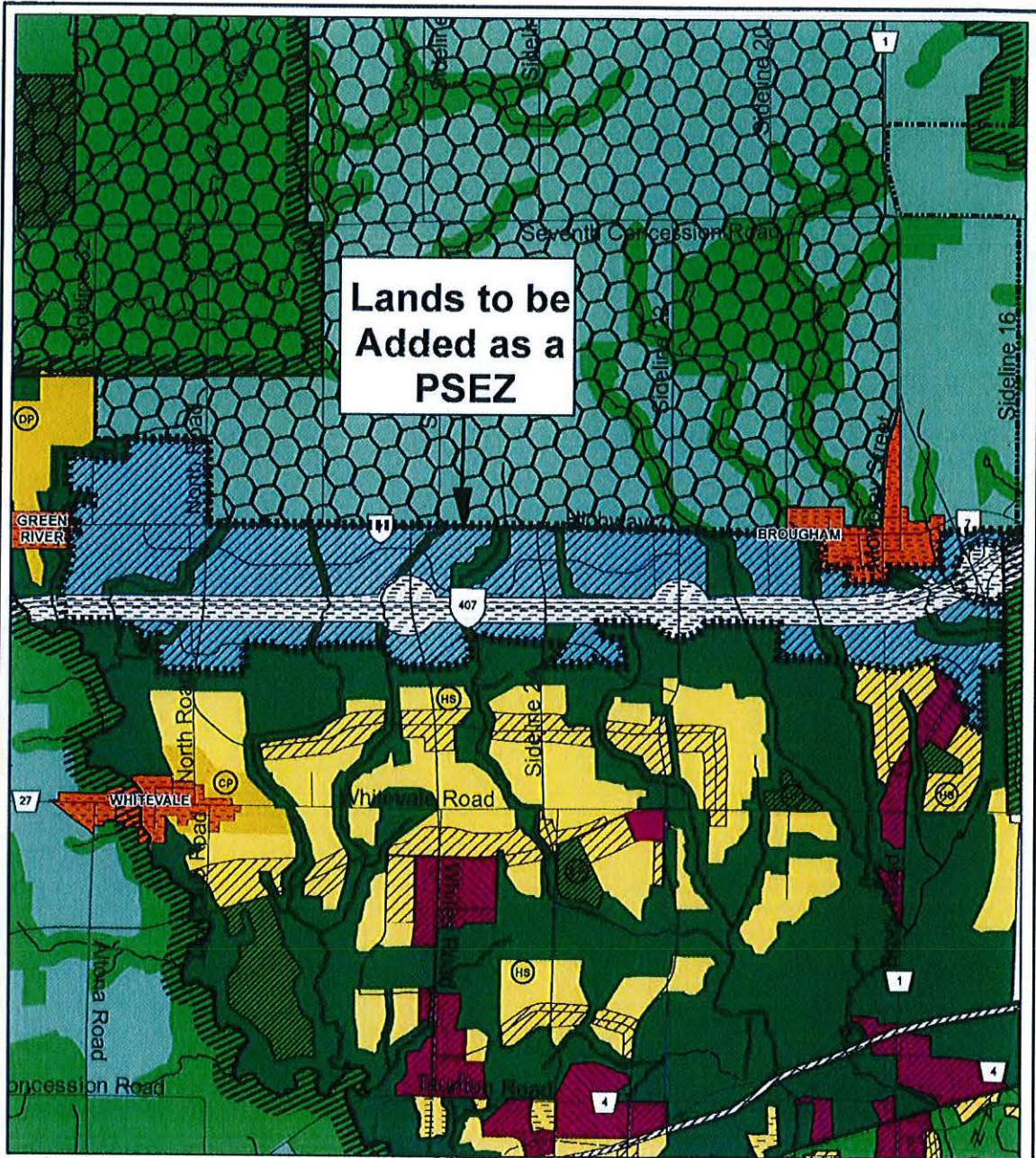
**Excerpt from Schedule I of the Pickering Official Plan Edition 8**

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| <p><b>Open Space System</b></p> <ul style="list-style-type: none"> <li> Seaton Natural Heritage System</li> <li> Natural Areas</li> <li> Active Recreational Areas</li> <li> Marina Areas</li> <li> Hamlet Heritage Open Space</li> </ul> <p><b>Rural Settlements</b></p> <ul style="list-style-type: none"> <li> Rural Clusters</li> <li> Rural Hamlets</li> </ul> | <p><b>Land Use Structure</b></p> <p><b>Urban Residential Areas</b></p> <ul style="list-style-type: none"> <li> Low Density Areas</li> <li> Medium Density Areas</li> <li> High Density Areas</li> </ul> <p><b>Mixed Use Areas</b></p> <ul style="list-style-type: none"> <li> Local Nodes</li> <li> Community Nodes</li> <li> Mixed Corridors</li> <li> Specialty Retailing Node</li> <li> City Centre</li> </ul> <p><b>Employment Areas</b></p> <ul style="list-style-type: none"> <li> General Employment</li> <li> Prestige Employment</li> <li> Mixed Employment</li> </ul> | <p><b>Freeways and Major Utilities</b></p> <ul style="list-style-type: none"> <li> Controlled Access Areas</li> <li> Potential Multi Use Areas</li> </ul> <p><b>Seaton Symbols</b></p> <ul style="list-style-type: none"> <li> District Park</li> <li> Community Park</li> <li> High School</li> </ul> <p><b>Other Designations</b></p> <ul style="list-style-type: none"> <li> Prime Agricultural Areas</li> <li> Deferrals</li> <li> Greenbelt Boundary</li> </ul> |
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City of Pickering  
City Development Department  
© 2015  
This Map Form Part of Edition 8 of the Pickering Official Plan and  
Must Be Read in Conjunction with the Other Schedules and the Text.

**Appendix No. IV to  
Report No. PLN 05-19**

**Map of Seaton Employment Corridor**



Lands to be Added as a PSEZ

Excerpt from  
Schedule I of the  
**Pickering  
Official Plan**  
Edition 8

City of Pickering  
City Development Department  
The Map Formed Part of Edition 8 of the Pickering Official Plan and  
Must Be Read in Conjunction with All Other Schedules and the Text.

**Open Space System**

- Seaton Natural Heritage System
- Natural Areas
- Active Recreational Areas
- Oak Ridges Moraine Natural Linkage Areas
- Hamlet Heritage Open Space
- Oak Ridges Moraine Natural Core Areas

**Rural Settlements**

- Rural Clusters
- Rural Hamlets
- Oak Ridges Moraine Rural Hamlets

**Land Use Structure**

**Urban Residential Areas**

- Low Density Areas
- Medium Density Areas

**Mixed Use Areas**

- Local Nodes
- Community Nodes
- Mixed Corridors

**Employment Areas**

- Prestige Employment

**Seaton Symbols**

- District Park
- Community Park
- High School

**Freeways and Major Utilities**

- Controlled Access Areas

**Other Designations**

- Proposed Airport Site
- Prime Agricultural Areas
- Prime Agricultural Areas On The Oak Ridges Moraine
- Oak Ridges Moraine Countryside Areas
- Rural Study Area
- Federal Lands
- Oak Ridges Moraine Boundary
- Greenbelt Boundary

**Council Decision**

**Resolution #46/15  
May 19, 2015**

1. That Report PLN 02-15 of the Director, City Development, regarding comments on the first round of the Coordinated Review of Ontario's Land Use Plans be received;
2. That the comments in Report PLN 02-15 on the Coordinated Review of Ontario's Land Use Plans be endorsed, and that the Province be requested to:
  - a) incorporate the recommendations provided through the Durham Region Greenbelt Plan Review study as endorsed by the City of Pickering, in particular:
    - that the provincial plans allow for stand-alone agricultural supportive uses in prime agricultural areas (such as grain elevators or food processing operations);
    - that the provincial plans provide opportunities for rural economic diversification in terms of cultural, educational, recreational and eco-tourism uses and value added agricultural uses which complement farming and the health of rural settlements; and
    - that the Province establish new, more effective separation distance policies to provide an appropriate buffer between new residential development and farmland to protect the viability of farm operations and avoid land use conflicts;
    - That the Province establish a process to consider limited refinements to the boundaries of the Greenbelt Plan and Oak Ridges Moraine Conservation Plan, in accordance with Recommendations 16, 17 and 18 of the Durham Region Greenbelt Plan Review study.
  - b) provide direction for the planning of infrastructure beyond the 20-year land use planning horizon, by extending the population and employment forecasts to at least 2051, and adjusting the Places to Grow Concept and Forecasts accordingly, to allow for the timely and transparent planning of long term urban infrastructure;
  - c) provide stronger policy direction on implementing affordable housing, in terms of type and tenure;
  - d) provide the opportunity to redefine the Greenbelt and/or Oak Ridges Moraine boundaries to allow for minor expansions of hamlets, subject to the completion of a municipally led hamlet boundary review;

- e) identify provincially strategic employment lands within the Growth Plan, such as the Seaton Employment Lands, and actively facilitate the marketing, servicing and development of those lands in concert with other development contemplated by the Growth Plan; and
  - f) allow for minor expansions for existing businesses in the rural area;
3. That the Province be requested to hold Town Hall Meetings in Pickering during the second round of consultation;
  4. That the Province consider the implementation strategies, plan coordination measures, and financial tools and incentives as summarized in Appendix I;
  5. That comments received at the Town Hall Meeting held by the City of Pickering on April 13, 2015 regarding the Coordinated Review of Ontario's Land Use Plans, as set out in Appendix II be forwarded to the Province; and
  6. Further, that a copy of Report PLN 02-15 and Pickering Council's Resolution on the matter, be forwarded to the Region of Durham, other Durham Area Municipalities, the Ministry of Municipal Affairs and Housing, and the Ministry of Natural Resources and Forestry.

**Council Decision**

**Resolution #202/16  
September 19, 2016**

1. That the comments in Report PLN 15-16 on the proposed changes to Ontario's Land Use Plans be endorsed, and that the Province be requested to:
  - a) revise the timeline for municipalities to bring their official plans into conformity with the revised Growth Plan, to only take effect after the Ministry has approved and released the standard methodology for the assessment of land needs and that the process for developing the standard methodology for the assessment of land needs include proper ground-truthing and consultation with municipalities, conservation authorities and other key stakeholders;
  - b) maintain the intensification target at 40 percent for the 905 region;
  - c) identify a mechanism to prevent strategic growth areas (e.g. high density residential or high intensity mixed-use) from being down designated to support intensification opportunities that may not be realized within the time horizon of the Growth Plan;
  - d) consider the potential long-term development and intensification of its major transit station sites by:
    - introducing policies that require the introduction of alternative station designs that are more compact, diversified and integrated with their surroundings; and
    - expediting investment in alternative modes of transportation (i.e., local transit, cycling, walking, carpooling) to access such locations in order to limit the amount of surface parking in the future;
  - e) remove the words "or stop" within the revised definition of the term "Major Transit Station Area", so that only high order transit station areas are included in the intensification calculation;
  - f) revise Schedule 5 (Moving People – Transit) in the Growth Plan to reflect the proposed CP-Belleville rail connection to the new Seaton community, and the "possible" rail extension (CP-Havelock line) towards Peterborough;
  - g) identify employment lands of provincial significance within the Growth Plan, such as the Seaton Employment Lands, and actively facilitate the marketing, servicing and development of those lands in concert with other development contemplated by the Growth Plan;
  - h) maintain the current Greenfield area density target of 50 residents and jobs combined per hectare, or consider developing a more context sensitive approach for 905 communities, with particular attention to factors such as urban structure, availability of public transit and other amenities, built form character, place-making, housing mix and affordability;
  - i) conduct a financial analysis of the impact of the intensification and density targets on municipal infrastructure and service delivery;

- j) consider extending the newly proposed policy that would recognize existing employment areas on "rural lands" with opportunity for expansion, subject to certain criteria, to include existing cultural and educational uses;
- k) move forward with the development of the Transportation Planning Policy Statement outlined in the *Greater Toronto Transportation Authority Act*, to clarify the role of the Big Move in relation to the Growth Plan, and to include a statement that acknowledges this relationship within the Growth Plan. This would help ensure that the integration and coordination of transportation infrastructure planning and land use planning at local, Regional and Provincial levels are properly acknowledged in the Plan;
- l) as part of supporting the new Growth Plan, investigate financial tools (e.g. parking space levy, fuel tax, sales tax, payroll tax, vehicle kilometers travelled tax, highway tolls, development charges, land value capture, property tax, development charges, fare increases, etc.) and funding opportunities to enable the timely implementation of transportation and other municipal infrastructure and services;
- m) base the mapping of the "natural heritage system" upon approved watershed plans, and that the Province collaborate with conservation authorities to develop a standard methodology for mapping of the "natural heritage system";
- n) build on the Land Evaluation and Area Review (LEAR) analysis that was completed by the Region of Durham for mapping the "agricultural system", and that the mapping process include the application of standard methodology, proper ground-truthing and consultation with municipalities, conservation authorities, the agricultural community and other key stakeholders;
- o) engage municipalities in the identification, establishment or update of the documents listed as Supplementary Directions to the Growth Plan;
- p) revise the timeframe for municipal official plan conformity to commence upon completion of the documents listed as Supplementary Directions to the Growth Plan;
- q) as part of the Supplementary Direction for implementing the Growth Plan, identify and develop programs to attract and retain workers and businesses to achieve the growth plan targets, and to foster the development of balanced communities (for example, such measures could include, investing in, or subsidizing training programs that will ensure that municipalities have the resident labour force to attract new businesses in targeted sectors; eliminating or reducing tolls for trucks on Highway 407 making the highway a more attractive goods movement corridor; and promoting further employment growth in the 905 Region);
- r) provide more guidance regarding the type and extent of buffer planning necessary to protect existing agricultural practices, by minimizing and mitigating impacts of new adjacent urban development on the Agricultural System;



- s) retain the existing policy in the Greenbelt Plan that permits the minor rounding out of hamlets at the time of municipal conformity, and modify the policy to read as follows:

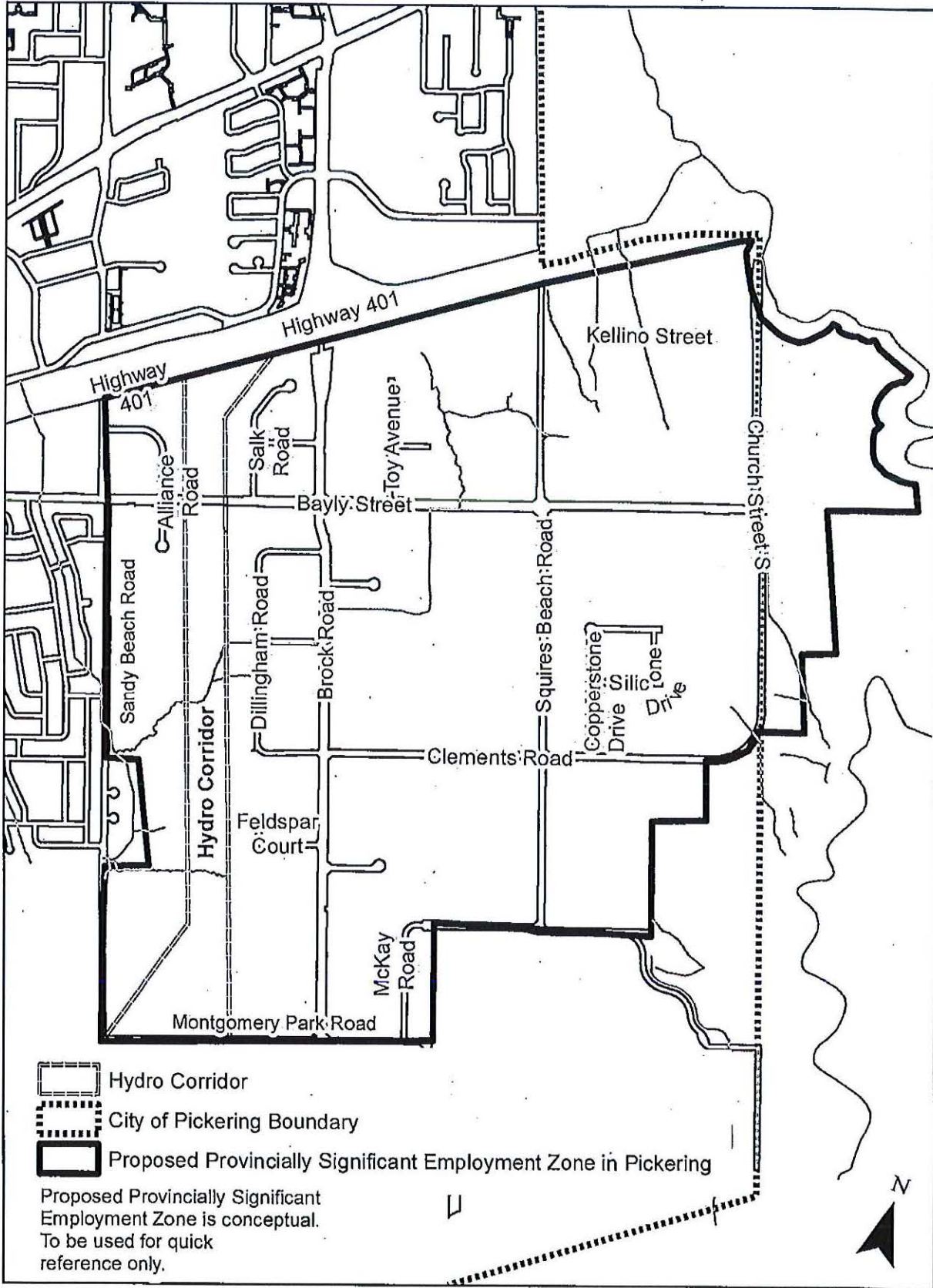
"Outside of specialty crop areas, minor expansion of Hamlet boundaries may be permitted only through a municipal initiated study, that must address matters such as the merits and appropriate scale and form of development; the protection and enhancement of key natural heritage and hydrologic features and functions; the impact on agricultural lands and agricultural operations; soft and hard servicing needs, constraints and solutions; and the rationale for any minor expansion to the hamlet boundary";




- t) revise proposed policy 6.2, subsection 1, in the Greenbelt Plan, by making all lands within the Urban River Valley designation, whether publicly or privately owned, subject to the Greenbelt Plan policies associated with this designation;
- u) remove the policy 3.4.4.2a in the current Greenbelt Plan and in the proposed Greenbelt Plan (policy 3.4.5.2a) that prohibits the consideration of a municipally initiated settlement area expansion proposal to proceed on the lands bounded by the CP Belleville Line in the south; the York-Durham Townline to the west; and West Duffins Creek to the east (referred to as the Cherrywood Area Lands);
- v) retain the existing policy in the Oak Ridges Moraine Conservation Plan that permits the minor rounding out of rural settlements, and modify the policy to read as follows:

"New lots may be created in Countryside Areas for the following purposes only, and subject to Parts III and IV:

Minor expansion of Rural Settlements designated in the applicable official plan as appropriate for this type of lot creation, only through a municipal initiated study, that must address matters such as the merits and appropriate scale and form of development; the protection and enhancement of key natural heritage and hydrologic features and functions; the impact on agricultural lands and agricultural operations; soft and hard servicing needs, constraints and solutions; and the rationale for any minor expansion to the rural settlement boundary.";

- w) establish a simplified process including criteria and timeframes to consider limited refinements to the boundaries of the Greenbelt and Oak Rides Moraine Conservation Plan that result from further ground-truthing of the boundary; and
2. That a copy of Report PLN 15-16 be forwarded to the Region of Durham, other Durham Area Municipalities, the Ministry of Municipal Affairs and Housing, the Ministry of Natural Resources and Forestry, and the Members of Parliament for Pickering-Scarborough East and Ajax-Pickering.



-  Hydro Corridor
-  City of Pickering Boundary
-  Proposed Provincially Significant Employment Zone in Pickering

Proposed Provincially Significant Employment Zone is conceptual. To be used for quick reference only.



The Corporation of the  
**Township  
of  
Uxbridge**

In The Regional Municipality of Durham

Town Hall  
51 Toronto Street South  
P.O. Box 190  
Uxbridge, ON L9P 1T1  
Telephone (905) 852-9181  
Facsimile (905) 852-9674  
Web [www.town.uxbridge.on.ca](http://www.town.uxbridge.on.ca)

**SENT VIA EMAIL**

March 22, 2019

Region of Durham  
Ralph Walton, Regional Clerk  
[clerk@durham.ca](mailto:clerk@durham.ca)

**RE: DRAFTING A STREAMLINED BY-LAW REGARDING RECREATIONAL  
CANNABIS ACROSS DURHAM REGION  
TOWNSHIP FILE: A-16 RGG**

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Please be advised that during the regular meeting of the General Purpose and Administration Committee of March 18<sup>th</sup> the following motion was carried;

THAT the Administration, Emergency Services and Economic Development Committee support the Region of Durham Resolution that all lower-tier municipalities draft a streamlined by-law regarding recreational cannabis across the Durham Region;

AND THAT Durham Region coordinate with Durham Regional Police Service to enforce the unified places of use by-law throughout the Durham Region where resources permit.

I trust you will find the above to be satisfactory.

Yours truly,

Debbie Leroux  
Director of Legislative Services/Clerk  
/jlb





**TOWN OF AJAX**  
65 Harwood Avenue South  
Ajax ON L1S 3S9  
[www.ajax.ca](http://www.ajax.ca)

---

Ralph Walton, Regional Clerk  
Region of Durham  
605 Rossland Road East  
Level 1  
P.O. Box 623  
Whitby, ON  
L1N 6A3

March 27, 2019

**RE: Drafting a Streamlined By-law Regarding Recreational Cannabis Across Durham Region**

Thank you for your correspondence to the Town of Ajax regarding the above noted matter. Please be advised that the following resolution was passed by Ajax Town Council at its meeting held March 25, 2019:

That item iii) of the Correspondence Report, 'Region of Durham: Drafting a Streamlined By-law Regarding Recreational Cannabis Across Durham Region', be endorsed by Council.

If you require further information please contact me at 905-619-2529 ext. 3342 or [alexander.harras@ajax.ca](mailto:alexander.harras@ajax.ca)

Sincerely,

Alexander Harras  
Manager of Legislative Services/Acting Clerk



Corporate Services Department  
Legislative Services

C.S. - LEGISLA...

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

Via Email

March 27, 2019

Ralph Walton, Regional Clerk, Director of Legislative Services  
Region of Durham  
605 Rossland Road East  
Whitby, ON L1N 6A3


Subject: City of Vancouver Single-Use Items Reduction Strategy  
File: A-1400-001-19

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on March 25, 2019 and adopted the following;

1. That Corr. 03-19 received from Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham, with respect to the adoption of a report passed by the Region of Durham on February 27, 2019, regarding the City of Vancouver Single-Use Items Reduction Strategy be endorsed; and
2. That Staff be directed to investigate the legal mechanisms, including by-laws, for the possible banning of single-use plastics.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660 extension 2019.

Yours truly,



Susan Cassel  
City Clerk  
SC:lr

Via Email

March 27, 2019

Ralph Walton, Regional Clerk, Director of Legislative Services  
Region of Durham  
605 Rossland Road East  
Whitby, ON L1N 6A3

Subject: City of Vancouver Single-Use Items Reduction Strategy  
File: A-1400-001-19

---

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on March 25, 2019 and adopted the following;

1. That Corr. 03-19 received from Ralph Walton, Regional Clerk/Director of Legislative Services, Region of Durham, with respect to the adoption of a report passed by the Region of Durham on February 27, 2019, regarding the City of Vancouver Single-Use Items Reduction Strategy be endorsed; and
2. That Staff be directed to investigate the legal mechanisms, including by-laws, for the possible banning of single-use plastics.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660 extension 2019.

Yours truly,



Susan Cassel  
City Clerk  
SC:lr



**TOWN OF AJAX**  
65 Harwood Avenue South  
Ajax ON L1S 3S9  
[www.ajax.ca](http://www.ajax.ca)

---

Ralph Walton, Regional Clerk  
Region of Durham,  
605 Rossland Road East  
Level 1  
P.O. Box 623  
Whitby, ON  
L1N 6A3

March 27, 2019

**RE: City of Vancouver Single-Use Items Reduction Strategy**

Thank you for your correspondence to the Town of Ajax regarding the above noted matter. Please be advised that the following resolution was passed by Ajax Town Council at its meeting held March 25, 2019:

That item v) of the Correspondence Report, 'Region of Durham: City of Vancouver Single-Use Items Reduction Strategy', be endorsed by Council.

If you require further information please contact me at 905-619-2529 ext. 3342 or [alexander.harras@ajax.ca](mailto:alexander.harras@ajax.ca)

Sincerely,

Alexander Harras  
Manager of Legislative Services/Acting Clerk

File: A-2100

March 28, 2019

**DELIVERED BY E-MAIL**

(premier@ontario.ca)

The Honourable Doug Ford,  
Premier of Ontario

Re: Downed Elevators and Municipal Response

Oshawa City Council considered the above matter at its meeting of March 18, 2019 and adopted the following recommendation:

- “1. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to proclaim into force the remaining elements of Bill 8 related to elevating devices in all building stock.
  2. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Technical Standards and Safety Act, 2000, as necessary, to:
    - a) Authorize the Technical Standards and Safety Authority inspectors to impose timelines to complete repairs/replacements to elevators in buildings whether subjected to a Technical Standards and Safety Authority order or not and to impose appropriate penalties if there is a non-compliance; and
    - b) Authorize the Technical Standards and Safety Authority inspectors to impose conditions requiring the owner to provide an alternate mechanical means of access above the ground floor when a repair to the single elevator in a building is being undertaken whether such repair is by an order of the Technical Standards and Safety Authority or not and to impose penalties if there is a non-compliance.
  3. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Ontario Building Code to require new single elevator buildings to provide an alternative mechanical means of access above the ground floor or consider requiring multi-level buildings to have two
-



elevators as appropriate and to consult with the building and development industry during the process.

4. That a copy of Report CORP-19-22 and the related Council resolution be sent to:
  - All Region of Durham Municipalities
  - Durham Region Members of Parliament and Members of Provincial Parliament
  - Federation of Canadian Municipalities
  - Association of Municipalities of Ontario
  - Local Health Integration Network
  - Oshawa's Accessibility Advisory Committee
  - Durham Regional Accessibility Advisory Committee
  - Large Urban Mayor's Caucus of Ontario
  - Technical Standards and Safety Authority
  - Advocacy Centre for the Elderly
  - Federal/Provincial/Territorial Ministers for Seniors
  - United Senior Citizens of Ontario
  - Oshawa Senior Citizens Centres
  - Ministry of Municipal Affairs and Housing
  - Ministry of Government and Consumer Services
  - The City's Building Industry Liaison Team including Durham Region Homebuilder's Association and Building Industry and Land Development Association
  - Ontario Building Officials Association
  - Ontario Non-Profit Housing Association; and,
5. That staff continue to investigate the potential of a stand-alone By-law to address elevating devices in the City of Oshawa."

Please find attached a copy of Report CORP-19-22.

If you need further assistance concerning the above matter, please contact Paul Ralph, Commissioner, Development Services Department at the address listed below or by telephone at 905-436-3311.



---

Mary Medeiros  
Acting City Clerk

/ld

- c. All Region of Durham Municipalities
- Durham Region Members of Parliament and Members of Provincial Parliament
- Federation of Canadian Municipalities
- Association of Municipalities of Ontario
- Local Health Integration Network
- Oshawa's Accessibility Advisory Committee
- Durham Regional Accessibility Advisory Committee
- Large Urban Mayor's Caucus of Ontario
- Technical Standards and Safety Authority
- Advocacy Centre for the Elderly
- Federal/Provincial/Territorial Ministers for Seniors
- United Senior Citizens of Ontario
- Oshawa Senior Citizens Centres
- Ministry of Municipal Affairs and Housing
- Ministry of Government and Consumer Services
- The City's Building Industry Liaison Team including Durham Region Homebuilder's Association and Building Industry and Land Development Association
- Ontario Building Officials Association
- Ontario Non-Profit Housing Association

To: Corporate Services Committee

From: Tracy Adams, Commissioner,  
Corporate Services Department

Report Number: CORP-19-22

Date of Report: February 20, 2019

Date of Meeting: February 25, 2019

Subject: Downed Elevators and Municipal Response

File: D-2200

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## **1.0 Purpose**

This report responds to the Corporate Services Committee's May 28, 2018 direction to examine the implementation of a specific by-law to address situations in rental properties when elevators are not working, especially when it can put vulnerable populations at risk during extreme weather and to report back to Committee.

## **2.0 Recommendation**

That the Corporate Services Committee recommend to City Council:

1. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to proclaim into force the remaining elements of Bill 8 related to elevating devices in all building stock.
2. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Technical Standards and Safety Act, 2000, as necessary, to:
  - (a) Authorize the Technical Standards and Safety Authority inspectors to impose timelines to complete repairs/replacements to elevators in buildings whether subjected to a Technical Standards and Safety Authority order or not and to impose appropriate penalties if there is a non-compliance; and
  - (b) Authorize the Technical Standards and Safety Authority inspectors to impose conditions requiring the owner to provide an alternate mechanical means of access above the ground floor when a repair to the single elevator in a building is being undertaken whether such repair is by an order of the Technical Standards and Safety Authority or not and to impose penalties if there is a non-compliance.

3. That pursuant to Report CORP-19-22 dated February 20, 2019, the Provincial Government be requested to amend the Ontario Building Code to require new single elevator buildings to provide an alternative mechanical means of access above the ground floor or consider requiring multi-level buildings to have two elevators as appropriate and to consult with the building and development industry during the process.
4. That a copy of Report CORP-19-22 and the related Council resolution be sent to:
  - All Region of Durham Municipalities
  - Durham Region Members of Parliament and Members of Provincial Parliament
  - Federation of Canadian Municipalities
  - Association of Municipalities of Ontario
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  - Federal/Provincial/Territorial Ministers for Seniors
  - United Senior Citizens of Ontario
  - Oshawa Senior Citizens Centres
  - Ministry of Municipal Affairs and Housing
  - Ministry of Government and Consumer Services
  - The City's Building Industry Liaison Team including Durham Region Homebuilder's Association and Building Industry and Land Development Association
  - Ontario Building Officials Association

### **3.0 Executive Summary**

On May 28, 2018, the Corporate Services Committee directed staff to examine the implementation of a specific by-law to address situations in rental properties when elevators are not working, especially when it can put vulnerable populations at risk during extreme weather and to report back to Committee. Staff have determined that elevator availability and functionality has become a growing concern amid an increased reliance on elevators for day-to-day living. The previous Provincial Government recognized the issue of poor maintenance and repair of elevating devices and introduced Bill 8, which aimed to update legislative standards and regulations related to elevating devices through amendments to the Technical Standards and Safety Act, 2000, S.O. 2000, c. 16 ("Technical Standards and Safety Act, 2000"). Following the change of government in 2018, the sections of Bill 8 related to elevating devices have not yet been proclaimed into force; however, the province has stated they are currently working with the Technical Standards and Safety Authority (T.S.S.A.) to assess the relevant issues and determine where improvements to policy can be made.

The City has received a total of fifty-one (51) complaints between 2014 and 2018 related to non-functioning and/or malfunctioning elevators. Of these fifty-one (51) complaints, six (6) Property Standards Orders were issued, and twenty-seven (27) complaints were closed with no violation found after investigation. Multiple root causes have been identified through a literature review and discussions with members of the industry, such as on-going maintenance issues and obsolete elevating devices with little or no access to replacement parts.

The issue of elevator maintenance and availability affects municipalities across the province and requires a specific policy response and technical skills to respond effectively. Staff's review found that these issues are best handled at the provincial level through enhancements to the Technical Standards and Safety Act, 2000, as T.S.S.A. inspectors have the expertise to address concerns related to elevator maintenance and availability. Additionally, the review found that a special by-law would be unlikely to achieve expedited results in the situations of downed elevators, and rather existing tools should continue to be utilized.

#### **4.0 Input From Other Sources**

The following table (**Table 1**) identifies internal and external sources consulted during the preparation of this report.

**Table 1 Sources Consulted**

<b>Internal</b>	<b>External</b>
<ul style="list-style-type: none"><li>• Building Services</li><li>• Legal Services</li><li>• Fire Services</li></ul>	<ul style="list-style-type: none"><li>• Ministry of Government and Consumer Services</li><li>• Ministry of Municipal Affairs and Housing</li><li>• Technical Standards and Safety Authority</li></ul>

##### **4.1 Ministry of Municipal Affairs and Housing (M.M.A.H.)**

The M.M.A.H. is aware of current Ontario Building Code requirements and property standards by-law opportunities. The M.M.A.H. was unable to provide any other information on the issue of non-functioning elevators in apartment buildings.

##### **4.2 Ministry of Government and Consumer Services (M.G.C.S.)**

In June 2017, the Ontario government requested that the T.S.S.A. commission an Elevator Availability Study. Following the results of this Study, Bill 8, Access to Consumer Credit Reports and Elevator Availability Act, 2018, was passed in May 2018. This created new regulation-making powers for government in relation to elevator repair issues. The M.G.C.S. is currently working with the T.S.S.A. and industry to assess issues relating to elevating devices and determine where improvements to policy can be made.

### 4.3 Technical Standards and Safety Authority (T.S.S.A.)

The T.S.S.A. ensures industry compliance with safety requirements legislated by the Technical Standards and Safety Act, 2000. The purpose of the Technical Standards and Safety Act, 2000 is to enhance public safety in Ontario by providing for the efficient and flexible administration of technical standards with respect to matters such as elevating devices.<sup>1</sup>

When contacted, the T.S.S.A. advised that there is currently limited-to-no action that can be taken by the organization in relation to out-of-service elevators as the role of the T.S.S.A. involves the safety of the elevating device while it is in use. The organization is able to write orders requiring repairs for malfunctioning elevators that pose a direct safety risk; however, they do not address elevators that are entirely out-of-service. Since the release of the Elevator Availability Study, the T.S.S.A. has been focusing on making improvements to maintenance requirements and has met with various elevator companies to ensure consistency in the maintenance of elevating devices. The T.S.S.A. notes that proper maintenance can help prevent instances of non-functioning or malfunctioning elevators. Additionally, the T.S.S.A. works off a risk-based inspection scheduling system that takes into account past history, orders, incidents and the age of the device, among other things.

## 5.0 Analysis

### 5.1 Background

Elevator availability and functionality have become a growing concern amid an increased reliance on elevators for day-to-day living and a heightened awareness that factors like extreme weather events can have a direct impact on tenants when elevators are out-of-service. The recently commissioned Elevator Availability Study found that most elevators in Ontario are repaired within twenty-four (24) hours with approximately 1% of Ontario elevating devices across office, residential and institutional buildings experiencing outages longer than one (1) week over a given year.<sup>2</sup>

In 2015, City of Oshawa (“the City”) Development Services report DS-15-176 (**Attachment 1**) responded to Council’s June 12, 2015 direction to investigate the issue of non-functioning elevators for lengthy periods in apartment buildings. It is important to note

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<sup>1</sup> Technical Standards and Safety Act, 2000. Retrieved from <https://www.ontario.ca/laws/statute/00t16>

<sup>2</sup> Technical Standards and Safety Authority. “T.S.S.A. Elevator Availability Study, 2017”. Retrieved from <https://www.tssa.org/Modules/News/index.aspx?feedId=a432fea8-34f2-4fb2-97ec-b393c44fc0eb,4c142457-0d0f-4773-a511-7866672bbffa,ff34d029-6100-428b-87a6-89ed3918dcd4,7b882e28-3b4f-4044-ba7f-6df58a31ce1b,5b7aff3b-3f29-440e-b6f7-f3341638e717,3b0a683e-3289-4504-a528-320a2d741fa6,b32b6789-a2cf-4413-a8b2-cc829952ee7e,4ca86901-c2ab-453b-b95b-123f516c0c9f,f53a4329-8b60-4d38-acc2-ffff6c74d7f1,e018aaf8-86ba-4954-902c-489db3ded3c8&newsId=c30d9b40-0544-4e38-92d5-be3275000def>

that Bill 8 (see section 5.3.1 of Report CORP-19-22) has made progress with responding to the recommendations found in DS-15-176.

Staff conducted a review of property standards complaints received related to non-functioning and malfunctioning elevators in the City. The Property Standards By-law 1-2002 (“the By-law”) regulates and governs standards for the maintenance and occupancy of property within the City. General trends can be seen in **Table 2**. This data takes into account calls for service received between 2014 and 2018. It includes calls related to both malfunctioning and non-functioning elevators. The numbers are approximate and based on a manual search through electronic records.

Highlights of the data include:

- Calls for service related to elevator malfunctioning and non-functioning have decreased during this reporting period.
- Approximately thirty-four (34) out of fifty-one (51) calls for service were related to reports of elevators that were out-of-service, while the remainder related to reportedly malfunctioning machines.
- Approximately twenty-seven (27) out of fifty-one (51) calls for service were closed with no violation following inspection or follow-up.
- Of the fifty-one (51) calls for service, six (6) Property Standards Orders have been issued requiring that an elevator be repaired.
  - In the majority of cases, no Order was necessary as no violation was found or the property owner was already taking steps to respond to the issue.
- On average, when an Order had been issued it took approximately twenty-four (24) days to obtain compliance<sup>3</sup>; however, some Orders include provisions for compliance beyond only elevator deficiencies, resulting in an extended period of time needed for compliance. Additionally, Property Standards Orders have minimum required periods of time for service and appeals, resulting in longer periods of time for compliance when compared to other by-law Orders issued by the City.<sup>4</sup>
- Approximately three-hundred (300) units, across four (4) buildings, have been affected by out-of-service or malfunctioning elevators in circumstances where a violation was found and an Order was issued.<sup>5</sup> In these cases, residents may have had access to an alternate elevator(s) that remained in service.<sup>6</sup>

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<sup>3</sup> Total number of days between the date the complaint was filed and date file was closed.

<sup>4</sup> An Order cannot be deemed to be complied with until all items on the Order have been addressed. As such, in cases where an Order has been issued that contains both elevator-related and non-elevator deficiencies, a longer period of time may be required for overall compliance, even if the elevator issue has already been rectified.

<sup>5</sup> This number does not double count affected units, for example in instances where buildings had more than one Order issued during the prescribed time period.

<sup>6</sup> Unable to confirm the number of elevators in each apartment building.

**Table 2 General City of Oshawa Elevator Reactive Complaint Statistics<sup>7</sup>**

Status	2014	2015	2016	2017	2018
Closed with no violation	3	7	7	7	3
Other	7	7	4	2	4
<b>Total</b>	10	14	11	9	7

**5.2 The Issue**

The problems and causes of out-of-service elevators are complex and there is no “one”, single issue. Though the instance of a downed elevator in a single-elevator building can cause a number of problems, it is important to be aware of the various issues that can contribute to an elevator being out of service. Multiple root causes have been identified through a literature review and discussions with members of the industry. Root causes can generally be divided into two broad categories: on-going maintenance issues and obsolete elevators. In addition to issues identified in **Table 3** below, problems prolonging repairs may include lack of mechanic availability or delays in authorizing repairs.<sup>8</sup> Furthermore, parts may be unavailable locally or in general, causing further delays in ordering pieces or finding appropriate substitutes.

**Table 3 Root Causes**

On-Going Maintenance Issues	Obsolete Elevators
a) Increasing stock of older buildings with single, older elevators that may face more issues with age	a) High cost to upgrade existing elevators
b) Lack of money for maintenance	b) Parts unavailable (no longer exist or not stocked locally)
c) Lack of desire to spend money on proper, regular maintenance	c) Problems with obsolete elevators are compounded when elevators are not maintained regularly

Additionally, there is currently no requirement for the number of elevators that must be installed in a building at the time of construction, although there are elevator consultants that can be hired to provide guidance on the matter<sup>9</sup>. The Elevator Availability Study also identified concerns with a lack of minimum preventative maintenance standards, as

<sup>7</sup> It is important to note that the figures in Table 2 may not be reflective of enforcement action related only to elevator deficiencies. In a number of cases, the complaint and/or Order involved other property standards deficiencies. A longer period for compliance may be required in these instances, as elevator issues may be resolved, but additional time may be required to satisfy the other remedial work noted in the Order. Additionally, a file may be closed with a status other than with “no violation” due to continued non-compliance in relation to the other deficiencies noted in an Order, even if the elevator repairs have been completed. Furthermore, the status of “other” refers to files that may have been closed through compliance or cancellation.

<sup>8</sup> T.S.S.A. Elevator Availability Study. 2017.

<sup>9</sup> The Ontario Building Code does require a “firefighter” elevator when a building is classified as a “high-rise”.



compliance with minimum maintenance standards for safety is at an all-time low.<sup>10</sup> With that being said, the T.S.S.A. has acknowledged this particular issue and is working with elevator companies to make improvements to maintenance requirements and ensure consistency in the maintenance of elevating devices.

**5.3 Relevant Provincial Legislation**

**5.3.1 Bill 8**

A number of attempts have recently been made at the provincial level to update legislative standards and regulations related to elevators. In 2017 and 2018 respectively, bills were introduced with the goal of creating governing standards for availability of elevating devices, including standards and timelines for their repair. A summary of recent legislative attempts can be found in **Table 4**.

**Table 4 Timeline of Legislative Amendment Attempts Related to Elevators**

<b>Bill 109</b>	<b>Bill 199</b>	<b>Bill 8</b>
<ul style="list-style-type: none"> <li>• Introduced March 2017</li> <li>• Proposed to amend the Building Code Act, 1992, S.O. 1992, c.23</li> <li>• Standards for elevator capacity for new buildings of a certain height</li> <li>• Maximum timelines for elevator repairs</li> <li>• Has not received Royal Assent</li> </ul>	<ul style="list-style-type: none"> <li>• Introduced February 2018</li> <li>• Proposed to amend the Technical Standards and Safety Act, 2000</li> <li>• Allow for the creation of regulations governing standards of availability for elevating devices, including standards for and timelines of repairs</li> <li>• Has not received Royal Assent</li> </ul>	<ul style="list-style-type: none"> <li>• Received Royal Assent May 2018</li> <li>• Elevator standards not yet proclaimed in effect</li> <li>• Proposed to amend the Technical Standards and Safety Act, 2000</li> <li>• Allows for the creation of regulations governing standards of availability for elevating devices, including standards for and timelines of repairs</li> </ul>

Neither Bill 109 nor Bill 199 received Royal Assent. Bill 8 received Royal Assent in May, 2018, although the sections contained in the Bill that relate to elevators have not yet been proclaimed into force. It is important to note that a new provincial government was elected in June 2018, resulting in a potential disruption while finalizing the legislation. It is recommended that the City re-iterate to the new provincial government the importance of the un-proclaimed sections of this Bill. Sections of Bill 8 that are related to elevating devices can be found in **Appendix 2**. If/when the remaining sections of Bill 8 are proclaimed, the Lieutenant Governor in Council will be able to make regulations governing elevating devices, including those related to repair.<sup>11</sup> According to the M.G.C.S., the

<sup>10</sup> T.S.S.A. Elevator Availability Study. 2017

<sup>11</sup> Ontario Legislative Assembly. "Bill 8, Access to Consumer Credit Reports and Elevator Availability Act, 2018" Retrieved from <https://www.ola.org/en/legislative-business/bills/parliament-41/session-3/bill-8>

government is currently working with the T.S.S.A. and the Industry to assess the relevant issues and determine where improvements to policy can be made.

### 5.3.2 Residential Tenancies Act, 2006, S.O. 2006, c. 17 (“R.T.A.”)

The R.T.A. came into effect in 2007 with the goal of creating “a rental housing system that protects tenants, helps landlords and promotes investment in Ontario’s rental housing market”<sup>12</sup>. As part of the R.T.A., Ontario Regulations. 517/06 (“O.Reg. 517/06”) establishes maintenance standards for residential complexes where no municipal property standards by-law applies. The City of Oshawa has passed Property Standards By-law 1-2002, and as such O.Reg. 517/06 **does not apply**; however, it is of interest to note that the Regulation also contains an elevator-specific standard, as follows:

Section 43. Elevators intended for use by tenants shall be properly maintained and kept in operation **except for such reasonable time** as may be required to repair or replace them.

The R.T.A. sets out obligations that landlords and tenants have for the maintenance and repair of a rental property. If something no longer works due to normal wear and tear, or because it breaks or wears out, the landlord must repair it so that it works properly, or replace it. If a tenant has a maintenance problem, they should first advise the landlord in writing. If the landlord does not fix the problem within a reasonable time of being notified, the tenant can report the problem to the City; file an application with the Landlord and Tenant Board (L.T.B.), or do both of these things. When applying to the L.T.B., the tenant can request the L.T.B.<sup>13</sup>:

- Grant a rent abatement;
- Order the landlord to repair or place something, or do work by a certain date;
- Order the landlord to pay the tenant for any reasonable expenses the tenant paid to repair or replace something or damage caused to the tenant’s property, or out-of-pocket expenses of the tenant that resulted from the maintenance and repair problems;
- Stop the landlord from increasing the rent for the rental unit until the landlord fixes any serious maintenance problems;
- End the tenancy; or,
- Make another type of order.

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<sup>12</sup> Ministry of Municipal Affairs and Housing. “Residential Tenancies Act.” Retrieved from <http://www.mah.gov.on.ca/page137.aspx>

<sup>13</sup> Social Justice Tribunals Ontario. “Landlord and Tenant Board: Maintenance and Repairs Brochure” Retrieved from [http://www.sjto.gov.on.ca/documents/ltb/Brochures/Maintenance%20and%20Repairs%20\(EN\).html](http://www.sjto.gov.on.ca/documents/ltb/Brochures/Maintenance%20and%20Repairs%20(EN).html)

### 5.3.3 Building Code Act, 1992, S.O., c.23 (“B.C.A.”) and O. Reg. 332/12: Building Code (“O.B.C.”)

The O.B.C. is a regulation under the B.C.A. that establishes minimum standards for building construction, as well as technical and administrative requirements. The B.C.A. is also the enabling legislation for municipal property standards by-laws. Currently, no standard exists within the O.B.C. that regulates the number of elevators required in new buildings. Only when the building is classified as a “high-rise” building will the O.B.C. require a “firefighter” elevator with specific features. The O.B.C. is not retroactive and only applies to new construction. As such, it cannot be applied to existing, older, single-elevator buildings.

The B.C.A. prescribes standards in terms of the issuance, service and appeal of Property Standards Orders, along with remedial action (including carrying out remedial work and/or the laying of charges). The B.C.A. also enables the issuance of Emergency Orders, in circumstances where non-conformity with the standards poses “an immediate danger to the health or safety of any person” and this Order requires the “remedial repairs or other work to be carried out immediately to terminate the danger”. In this case there are situational standards which must be met:

- It must be an immediate danger
- It can apply to any person
- It must be such that the Officer **must** act immediately to remove the danger
- Emergency Orders must not be used in situations where a standard Property Standards Order under section 15.2 could reasonably have been used

Given the situational standards required by law to issue an Emergency Order, it would not be appropriate in most situations to consider its use in relation to a downed elevator.

### 5.4 Oshawa Property Standards By-law 1-2002

As noted, the B.C.A. permits municipalities to enact property standards by-laws that regulate the maintenance and repair of properties. The By-law was enacted in 2002 and regulates and governs the standards for the maintenance and occupancy of property within the City. Elevating devices are addressed multiple times within the By-law:

Section 3.1.1 An Owner shall maintain any services and facilities supplied in respect of a Property by that same Owner and shall maintain common areas intended for the use of Occupants. Such services and facilities may include, but are not limited to:

(c) elevator facilities and equipment

Section 5.8.1 Common areas in Apartment Buildings, including laundry rooms, recreation rooms, storage rooms, hallways, elevator cages and other shared facilities shall be maintained in good Repair and kept clean and free from health, fire and accident hazards.

Section 7.6.1 Elevators (where provided) and all its parts and components (including lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans) shall be maintained in good Repair.

The By-law permits Municipal Law Enforcement Officers (M.L.E.O.) to issue Orders requiring the repair/maintenance of elevating devices; however, the By-law does not address the provision of alternative/barrier-free access with respect to non-functioning elevators, nor does the By-law provide time requirements specifically for elevator repairs/replacement. The By-law is not able to be amended in a manner that achieves the function of these noted items, as the scope of the By-law is limited to minimum maintenance standards and there are legislated process and service requirements (i.e. minimum number of days until Order is deemed to be served).

The B.C.A. provides a legislated ability for owners to appeal all Orders issued under a property standards by-law (excluding an Emergency Order), and with this ability comes a period of fourteen (14) days to file the appeal. As such, a minimum of fourteen (14) days is a standard length of time prescribed for compliance.

Furthermore, M.L.E.O. are not qualified to inspect the mechanical components of elevators. Instead, an Officer may require the owner to obtain an inspection from a qualified elevator technician, likely the T.S.S.A, through the use of a 15.8 Order. Following this, a 15.2 Order may be issued requiring repairs to be conducted, if necessary. It is important to note that this process is likely required and extends the length of time for the investigation. It does not expedite the process of making the elevator operable and accessible to residents.

## **5.5 Possible Action by Property Owners**

Given that elevator outages can be inconvenient and impair a resident's daily life, it is recommended that owners take steps to help mitigate the effects. Some best practices that have been developed by City staff in consultation with an industry leader in elevator maintenance are listed below. These best practices are intended to deal with issues of maintenance and non-functioning elevators. This list is not exhaustive, but is intended to provide some suggestions for building owners to consider when facing out-of-service elevators.

Owners of buildings with one or more elevators should:

- Understand that maintenance and communication are critical concerns of significant importance
  - Maintaining elevators lessens the risk of going out-of-service
    - Owners need to ensure they are continually checking maintenance log books to confirm maintenance is regularly occurring—preventative maintenance is important
  - Communicating to residents in advance when outages are planned helps tenants make alternative arrangements, if necessary
  - Communicating with residents during an outage is important, especially during an unplanned outage

- This helps to inform residents of the issue, timelines for repair, and lessen concerns
- Attempting to schedule regular maintenance and/or repairs outside of busy hours, when possible, may reduce impact on residents
- Understand that elevator consultants are available for hire that can help streamline the repair/replacement process

When all elevators are out-of-service, owners may consider the following:

- Hiring porters to assist tenants with access
- Renting or installing stair lifting devices to assist individuals with health and mobility issues
- In extreme circumstances, arranging for alternative accommodation for individuals with ongoing medical and/or mobility issues (i.e. move someone to a ground floor unit)
- Regularly monitoring elderly tenants or tenants with health and mobility issues to ensure assistance can be provided as needed

## **5.6 Recommendations and Special By-law**

While the standards that regulate elevating devices are provincially mandated it is staff's observation that elevating device failures, inadequate repairs, part shortages, and inadequate maintenance would be aided by stricter province-wide standards such as:

- Minimum repair time frames and response times
- Annual maintenance requirements
- Requirements to replace elevators that are deemed obsolete
- Requiring alternate mechanical elevating devices where only one device exists
- Changing the O.B.C. to require all single elevator buildings to provide an alternative mechanical means of access above the ground floor or requiring these buildings to have two elevators

Given the existing regulatory options available to M.L.E.O. and the possible responses by property owners noted earlier, staff do not recommend the creation of a special by-law to address the private matter of situations in rental properties when elevators are non-functioning. There are a number of existing tools available to both tenants and landlords during periods of service disruption. A special by-law is unlikely to achieve expedited results compared to existing tools, such as Property Standards By-law enforcement, T.S.S.A. investigations, and L.T.B. applications, and would not achieve the desired compliance. In the case of malfunctioning and out-of-service elevators, it is difficult, if not impossible, to expedite repairs beyond that of the existing tools. Additionally, delays in elevator repairs are often related to identification of the problem and the availability of repair parts. Creating a specific by-law or utilizing existing tools are not able expedite these processes. Instead, M.L.E.O. will continue to address minimum standards with regard to elevating devices, including through proactive building audits and responding to resident complaints.

In 2017, M.L.E.O., in collaboration with Fire Services, began conducting a number of audits of apartment buildings across the City. These audits focus on Property Standards and Fire Code violations. If deficiencies are found that violate municipal standards, including non-functioning elevating devices, they are addressed proactively at this time. To date, no apparent elevator deficiencies have been included in a Property Standards Order related to an apartment building audit.

Additionally, staff will be investigating the addition of Administrative Monetary Penalties to the By-law during 2019. This may provide an additional penalty tool for M.L.E.O. against property owners who fail to comply with the minimum repair and maintenance standards set out in the by-law.

It is recommended that Council approve the recommendations noted in Report CORP-19-22, including those related to Bill 8 and the T.S.S.A. Downed elevators are an issue that affect residents in municipalities across Ontario, and it is important that there is a consistent province-wide approach to directly address the underlying issues behind malfunctioning and failing elevating devices. Given the T.S.S.A.'s current role in the inspection and approval of elevating devices, they are best equipped to continue being the primary group involved with these devices and related issues.

## **6.0 Financial Implications**

There are no financial implications directly related to the recommendations in this report.

## **7.0 Relationship to the Oshawa Strategic Plan**

- 4.2 Accountable Leadership – Develop and Leverage Relationships



Jerry Conlin, Director,  
Municipal Law Enforcement and Licensing Services



Tracy Adams, Commissioner,  
Corporate Services Department

Attachments



## Public Report

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To: Development Services Committee

From: Paul D. Ralph, BES, RPP, MCIP, Commissioner,  
Development Services

Report Number: DS-15-176

Date of Report: September 30, 2015

Date of Meeting: October 5, 2015

Subject: Non-Functioning Elevators in Single Elevator Apartment  
Buildings for Lengthy Periods of Time

File: B-1300-0024

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### 1.0 Purpose

The purpose of this report is to respond to Council's June 12, 2015 direction to investigate the issue of non-functioning elevators for lengthy periods in apartment buildings. Staff were directed to:

- Assess current and past Building Code Standards;
- Consult with the Ministry of Municipal Affairs and Housing (M.M.A.H.) to determine whether they have any suggestions or past studies that may assist;
- Consult with the Technical Standards and Safety Authority (T.S.S.A) to obtain ideas and suggestions;
- Consult with industry leading elevator companies to obtain practical ideas and general input regarding this matter;
- Assess and comment upon emergency access and egress from buildings with non-functioning elevators; and
- Assess possible standards that may exist in other locations (within and outside Canada) which provide for an alternate mechanical means of egress.

A copy of the June 12, 2015 Council direction forms Attachment 1 to this report.

## **2.0 Recommendation**

That the Development Services Committee recommend to City Council:

1. That pursuant to Report DS-15-176 dated September 30, 2015, the Provincial Government be requested to amend the Technical Standards and Safety Act, 2000, as necessary, to:
  - (a) Authorize the Technical Standards and Safety Authority inspectors to impose timelines to complete repairs/replacements to elevators in apartment buildings/retirement homes whether subject to a Technical Standards and Safety Authority order or not and to impose appropriate penalties if there is a non-compliance; and
  - (b) Authorize the Technical Standards and Safety Authority inspectors to impose conditions requiring the owner to provide an alternate mechanical means of access above the ground floor when a repair to the single elevator in an apartment building/retirement home is being undertaken whether such repair is by an order of the Technical Standards and Safety Authority or not and to impose penalties if there is a non-compliance.
2. That pursuant to Report DS-15-176 dated September 30, 2015, the Provincial Government be requested to amend the Ontario Building Code to require new single elevator apartment buildings/retirement homes to provide an alternate mechanical means of access above the ground floor or consider requiring large multi-level apartment buildings/retirement homes to have two elevators as appropriate and to consult with the building and development industry during the process.
3. That a copy of Report DS-15-176 and the related Council resolution be sent to:
  - Durham Region Members of Parliament and Members of Provincial Parliament
  - Federation of Canadian Municipalities
  - Association of Municipalities of Ontario
  - Local Health Integration Network
  - Oshawa's Accessibility Advisory Committee
  - Durham Regional Accessibility Advisory Committee
  - Large Urban Mayor's Caucus of Ontario
  - Technical Standards and Safety Authority
  - Advocacy Centre for the Elderly
  - Federal/Provincial/Territorial Ministers for Seniors
  - United Senior Citizens of Ontario
  - Oshawa Senior Citizens Centres
  - Ministry of Municipal Affairs and Housing
  - The City's Building Industry Liaison Team including Durham Region Homebuilder's Association and B.I.L.D.
  - Ontario Building Officials Association



### **3.0 Executive Summary**

There are many multi-level apartment buildings in Oshawa containing only one elevator. Many of the tenants living in these apartment buildings are senior citizens or people with health and mobility issues that require a mechanical means to access floor levels above the ground floor.

It has recently been observed that some single elevator apartment building owners are repairing or replacing elevators, causing them to be unavailable to tenants for lengthy periods of time. The delay associated with repairs and replacements has had the unfortunate circumstance of confining some tenants with health and mobility issues to their apartments.

On June 12, 2015 Council requested staff to review this issue and report back to the Development Services Committee.

The review in this report focused on:

- Assessing Ontario Building Code standards;
- Consulting with external agencies and elevator companies to obtain practical ideas, suggestions, and general input regarding this matter;
- Assessing and commenting upon emergency access and egress from buildings with non-functioning elevators; and
- Assessing possible standards that may exist in other locations which provide for an alternate mechanical means of egress when an elevator is being repaired or replaced.

This matter is a fundamental accessibility issue related to the quality of life of tenants and their ability to get in and out of their homes for daily activities.

The Provincial Government should be requested to take a leadership role to address this issue, which affects many Ontario residents. This report recommends that the Provincial Government make certain changes to Provincial legislation to address this important issue.

### **4.0 Input From Other Sources**

#### **4.1 Ministry of Municipal Affairs and Housing**

The Ministry of Municipal Affairs and Housing has advised that it is aware of the barrier-free access requirements set out in the Ontario Building Code for new construction. However, the Ministry was unable to provide any information on the issue of non-functioning elevators as a result of lengthy repairs or maintenance in existing apartment buildings.

#### **4.2 Technical Standards and Safety Authority**

The T.S.S.A. has advised that it has no authority to require elevator maintenance or repairs to be completed in accordance with any timeframe.

### **4.3 ThyssenKrupp Northern Elevator Corporation**

ThyssenKrupp Northern Elevator Corporation (ThyssenKrupp) is a world leading manufacturing, installer and service provider of elevators. ThyssenKrupp provided the following comments and suggestions with regards to non-functioning elevators and lengthy elevator repairs and maintenance:

- Property owners should ensure that regular maintenance and repairs are planned in advance;
- Property owners should consider performing maintenance after hours to reduce the impact on tenants and increase elevator availability;
- Property owners could encourage overtime for contractors to reduce elevator downtime;
- Property owners have the potential to rent stair climbing devices or use stair chairs that can be used by individuals with health and mobility issues to help them get up and down the stairs; and
- Property owners could consider installation of a second elevator system in single elevator apartment buildings, where feasible.

### **4.4 Fire Services**

Fire Services has advised that its jurisdiction is limited to elevators for use by fire fighters and requires elevators to have an emergency power supply facilitating access to all floors in high buildings. Elevators are not used during a fire.

Fire Services further commented that the Fire Protection and Prevention Act does not legislate elevators that are out of service for repairs.

### **4.5 Other Sources**

The following have also been consulted in the preparation of this report:

- Legal Services
- Municipal Law Enforcement and Licensing Services
- City of Toronto's Municipal Licensing and Standards Division
- City of London

## **5.0 Analysis**

### **5.1 Background**

The number of people with mobility issues is growing, which has resulted in an increased reliance on elevators in apartment buildings. Elevators give seniors or people with health and mobility issues the ability to live in their apartments longer and help to make apartment buildings accessible to all.

Recently there have been a number of complaints from tenants living in multi-level apartment buildings in Oshawa. The complaints focus on:

- Elevators that are inoperable for extended periods due to regular maintenance, inspections and repairs;
- Elevators that have broken down and are awaiting parts for repairs; and
- Elevators that are inoperable as a result of an order by the T.S.S.A. for repairs or upgrades.

This results in seniors and people with health and mobility issues being contained to their apartments.

Some property owners are not providing an alternate mechanical means of access above the ground floor during the repairs or maintenance. This can jeopardize the health, safety and quality of life of tenants with health and mobility issues.

This issue has led to tenants seeking help from the City and/or Province.

On June 12, 2015 City Council requested staff to review this issue and report back to the Development Services Committee on the findings.

## **5.2 Relevant Provincial and City of Oshawa Legislation**

### **5.2.1 Ontario Building Code**

The Ontario Building Code (Building Code) is a regulation of the Building Code Act, 1992 and governs the construction, renovation, change of use and demolition of buildings in Ontario. It provides specific powers for inspectors and rules for the inspection of buildings, and gives municipalities the authority to establish property standard by-laws.

On January 1, 2015, the Building Code was amended to enhance barrier-free requirements for buildings to support accessibility.

The Building Code requires at least one firefighter elevator in buildings that are 16 metres (approximately six storeys) or higher. However, the Building Code does not require buildings to have more than one elevator, and it does not address issues such as the length of time required to undertake the repair and maintenance.

The Building Code is not retroactive which means that amending the Building Code to require buildings to have a minimum of two elevators or an alternative mechanical means of access would not resolve the issues faced by existing single elevator apartment buildings.

The Building Code also does not offer any guidance or provide standards that would compel property owners to provide a minimum of two elevators or an alternative mechanical means of access in a newly constructed single elevator apartment building.

This report recommends requesting the Provincial Government to amend the Ontario Building Code to require new apartment buildings to provide an alternate mechanical means of access above the ground floor where there is a single elevator or a second elevator, as appropriate.

### **5.2.2 Technical Standards and Safety Authority**

The T.S.S.A. administers and enforces technical standards for elevating devices in Ontario, including elevators and lifts for persons with physical disabilities, to ensure that all elevating devices conform to the Technical Standards and Safety Act, 2000 and applicable regulations.

In addition, the T.S.S.A. reviews and registers elevating devices, issues licences, conducts inspections and performs incident investigations.

The T.S.S.A. does not regulate the length of time that an elevator is shut down for repairs or maintenance. Through consultation, the T.S.S.A. indicated that it has no authority over the timing of repair for a non-functioning elevator, as long as the owner and elevator company are working at restoring elevator service.

In the past few years, the T.S.S.A. has ordered the replacement of many elevators in single elevator apartment buildings. However, the T.S.S.A. has not mandated a time limit for the completion of the work.

This report recommends requesting the Provincial Government to amend the Technical Standards and Safety Act to:

- Authorize the Technical Standards and Safety Authority inspectors to impose timelines to complete repairs/replacements to elevators in apartment buildings/retirement homes whether subject to a Technical Standards and Safety Authority order or not and to impose appropriate penalties if there is a non-compliance; and
- Authorize the Technical Standards and Safety Authority inspectors to impose conditions requiring the owner to provide an alternate mechanical means of access above the ground floor when a repair to the single elevator in an apartment building/retirement home is being undertaken whether such repair is by an order of the Technical Standards and Safety Authority or not and to impose penalties if there is a non-compliance.

### **5.2.3 Residential Tenancies Act**

The Residential Tenancies Act, 2006 (R.T.A.) was established to create a rental housing system that protects tenants, helps landlords and promotes investment in Ontario's rental housing market.

The R.T.A. provides information on "services and facilities" which includes elevator facilities. Section 20(1) of the R.T.A. states that: "A landlord is responsible for providing and maintaining a residential complex, including the rental units in it, in a good state of

repair and fit for habitation and for complying with health, safety, housing and maintenance standards.”

If a tenant is concerned with a deficient or out-of-service elevator, they have the ability to file an application with the Landlord and Tenant Board. The Landlord and Tenant Board (the Board) resolves disputes between landlords and tenants and provides information to landlords and tenants about their rights and responsibilities under the R.T.A.

There are cases where tenants have submitted complaints about non-functioning elevators and lengthy repairs or maintenance to the Board. The Board has, in certain cases, ruled in favour of the tenants and the tenants were entitled to a general abatement of rent depending on the location of their rental unit in the building.

There is additional regulation under the R.T.A through Maintenance Standards, Ontario Regulation 517/06, which sets out the standards for elevators as follows:

43. Elevators intended for use by tenants shall be properly maintained and kept in operation except for such reasonable time as may be required to repair or replace them.

It is important to note that this regulation does not specify what is meant by “reasonable time”.

Most would consider it unacceptable to require tenants such as seniors and those with health and mobility issues to take the matter of non-functioning elevators to the Landlord and Tenant Board due to the actions or inactions of a landlord. This issue is not unique to Oshawa and the Province should be asked to take a leadership role in resolving these issues by giving more powers to T.S.S.A. inspectors.

#### **5.2.4 Oshawa Property Standards By-law**

The Building Code allows municipal councils to pass property standard by-laws. The City of Oshawa enacted a Property Standards By-law, By-law 1-2002 (the “By-law”) in 2002 which prescribes standards for the maintenance and occupancy of properties in Oshawa. The By-law requires that owners maintain common areas of buildings as follows:

Section 3.1.1 An owner shall maintain any services and facilities supplied in respect of a Property by that same owner and shall maintain common areas intended for the use of occupants. Such services and facilities may include, but are not limited to:

(c) elevator facilities and equipment

Section 5.8.1 Common areas in Apartment Buildings, including laundry rooms, recreation rooms, storage rooms, hallways, elevator cages and other shared facilities shall be maintained in good Repair and kept clean and free from health, fire and accident hazards.

Section 7.6.1 Elevators (where provided) and all its parts and components (including lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans) shall be maintained in good Repair.

However, the By-law does not provide any information with respect to providing alternate and/or barrier-free access requirements when faced with non-functioning elevators. The By-law also does not cite any time requirements for elevator repairs, maintenance or replacements. Under the Building Code a Property Standards Order may be appealed and if due diligence is demonstrated by the owner, the Property Standards Committee would most likely support the appeal and extend the time frame for compliance.

MLELS staff advise that the City does not have qualified staff to inspect the mechanical components of an elevator and as such orders would require that the owner schedule an inspection with the T.S.S.A. and that a report and action plan to make the elevator operable and safe be provided to the City forthwith. This clearly does not speed up the process to make the elevator operable but it is a tool which puts the onus on an owner to take immediate action.

MLELS staff are presently conducting a comprehensive review the City's Property Standards By-law. As part of that review staff will determine if amendments to the By-law can be made to address this issue. This report will be reported through the Corporate Services Committee.

### **5.3 Municipal Scan**

#### **5.3.1 City of Toronto**

The City of Toronto, like many other municipalities, is facing similar challenges where many tenants have recently been affected by frequent, lengthy and multiple elevator outages in buildings with only one elevator. In June 2014 Toronto City Council voted to direct staff to look into the feasibility of establishing service standards for elevator repairs in buildings and housing that service vulnerable people or people with disabilities, as part of an ongoing review of Toronto's property standards. Toronto staff are currently undergoing their review and will be reporting back to Council in early 2016.

#### **5.3.2 City of London**

The City of London's Property Standards By-law includes wording to ensure that elevators will be repaired as expeditiously as possible, whereas most municipalities do not include any wording regarding timing of elevator repairs or maintenance. Specifically, Section 5.1.1 of London's Property Standards By-law states that:

"Elevating devices shall be maintained:

- a) In accordance with the requirements of the Elevating Devices Act, R.S.O. 1990, Chapter E.8 and the Fire Code;
- b) With all parts and appendages, including lighting fixtures, lamps, elevator bottoms, floor indicators and ventilation fans in good repair and operational; and

- c) Repaired as expeditiously as possible.”

It should be noted that the Elevating Devices Act referred to in the City of London Property Standards By-law has been subsequently repealed and replaced with the Technical Standards and Safety Act.

#### **5.4 Possible Remedial Actions by Property Owners in Oshawa**

There are several actions that property owners can take to assist tenants when an elevator is out of service for repair or maintenance. The following is a list of Best Practices developed by City staff in consultation with an industry leader in elevator maintenance. The Best Practices are intended to deal with maintenance standards and non-functioning elevators and lengthy repairs.

Owners of buildings with a single elevator should:

- Schedule regular maintenance and/or repairs outside of busy hours, when possible, to reduce impact to the tenants;
- Give residents advance warning for all planned elevator repair and maintenance, and keep residents up-to-date through constant communication (e.g. Facebook, Twitter, email).

In the event of elevator service disruptions, owners with a single elevator may consider the following:

- Hire porters, doormen and/or students to assist tenants with access in and out of the building, carrying groceries and laundry, obtaining mail, etc. and let the tenants know when extra staff will be available to help carry items up and down the stairs;
- Rent stair climbing devices that can be used by individuals with health and mobility issues;
- Consider the installation of a second elevator, if feasible;
- Arrange to have the elevator in supervised service for a short period in the morning and in the afternoon to give tenants a brief opportunity to leave and return to the building subject to T.S.S.A. approval;
- In extreme circumstances, arrange for alternative accommodation for individuals with ongoing medical and/or mobility issues (i.e. move someone to the ground floor);
- Install a second railing in the stairwell so residents who have difficulty walking can hold onto both sides for support;
- Check in with and monitor elderly tenants or tenants with health and mobility issues on a regular daily basis and consider providing them with temporary cell phones should they get stuck in the stairwell or need assistance getting out of their apartment; and

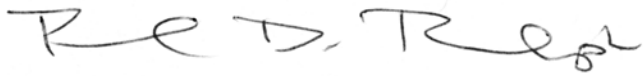
These actions should be considered by property owners of apartment buildings with single elevators.

## **6.0 Financial Implications**

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

## **7.0 Relationship to the Oshawa Strategic Plan**

The Recommendations advance the Social Equity and Accountable Leadership goals of the Oshawa Strategic Plan.

A handwritten signature in black ink, appearing to read "P. D. Ralph". The signature is written in a cursive, somewhat stylized font.

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



**Excerpts from the Oshawa City Council Meeting held on June 12, 2015**

Moved by Councillor Neal, seconded by Councillor Sanders,

(323) "That the rules of procedure be waived to introduce a motion concerning elevators in residential rental apartment buildings." Carried on a 2/3 vote of members present

Moved by Councillor Neal, seconded by Councillor Kerr,

(324) "Whereas many of Oshawa's rental residents live in multi-level apartment buildings, up to five floors in height, containing only one elevator; and,

Whereas many of the tenants living in such apartment buildings are senior citizens or people with health and mobility issues that require a mechanical means to access floor levels above the ground floor; and,

Whereas it recently has become apparent that many single elevator apartment building owners are repairing or replacing elevators, thus causing them to be unavailable to tenants for lengthy periods of time; and,

Whereas most apartment building owners are not providing an alternate mechanical means of access above the ground floor during the repairs; and,

Whereas tenants are seeking help from the City or Province because they are becoming confined to their apartment; and,

Whereas the City and Province seem to have no authority or tools to require building owners to provide alternate mechanical elevating devices during lengthy repairs or replacements; and,

Whereas the health and safety of some of the most needy people in the community is being jeopardized when elevators are being made inoperable;

Be it resolved that staff in Building Services, Municipal Law Enforcement and Licensing Services and Fire Services be directed to investigate this matter as follows:

- Assess current and past Building Code Standards
- Consult with the Ministry of Municipal Affairs and Housing to determine whether they have any suggestions or past studies that may assist
- Consult with the Technical Standards & Safety Authority to obtain ideas and suggestions
- Consult with industry leading elevator companies to obtain practical ideas and general input regarding this matter
- Assess and comment upon emergency access and egress from buildings with non-functioning elevators
- Assess possible standards that may exist in other locations (within and outside Canada) which provide for an alternate mechanical means of egress; and,

That staff report back to the Development Services Committee with their findings; and upon adoption of staff's findings, the following entities be so advised:

- Durham Region Members of Parliament and Members of Provincial Parliament
- Federation of Canadian Municipalities
- Association of Municipalities of Ontario
- Local Health Integration Network
- Oshawa Accessibility Advisory Committee
- Durham Regional Accessibility Advisory Committee
- Large Urban Mayor's Caucus of Ontario
- Technical Standards & Safety Authority
- Advocacy Centre for the Elderly
- Federal/Provincial/Territorial Ministers for Seniors
- United Senior Citizens of Ontario
- Oshawa Senior Citizens Centres
- Ministry of Municipal Affairs and Housing." Carried

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

3RD SESSION, 41ST LEGISLATURE, ONTARIO  
67 ELIZABETH II, 2018

## Bill 8

*(Chapter 7 of the Statutes of Ontario, 2018)*

### **An Act to amend the Consumer Reporting Act and the Technical Standards and Safety Act, 2000**

**The Hon. T. MacCharles**  
Minister of Government and Consumer Services

1st Reading	March 20, 2018
2nd Reading	April 23, 2018
3rd Reading	May 2, 2018
Royal Assent	May 7, 2018



## EXPLANATORY NOTE

*This Explanatory Note was written as a reader's aid to Bill 8 and does not form part of the law.*

*Bill 8 has been enacted as Chapter 7 of the Statutes of Ontario, 2018.*

The Bill amends the *Consumer Reporting Act* and the *Technical Standards and Safety Act, 2000*.

### ***Consumer Reporting Act***

Section 12 is remade to give consumers a right to obtain disclosure of consumer scores and to provide for the rules respecting such disclosures. The remade section 12 also modifies the existing rules respecting disclosures of consumer reports. A new section 12.0.1 sets out the requirements respecting which method of generating a consumer score a consumer reporting agency is required to use.

The Act is amended to provide for security freezes on consumers' files. New section 12.4 provides the requirements respecting security freezes and new section 12.5 provides the information consumer reporting agencies are required to publish respecting security freezes and security alerts.

Amendments are made to expand the information the Registrar may require a consumer reporting agency to obtain and provide to the Registrar. The amendments also provide the Registrar with the authority to order an agency to amend or delete certain credit and personal information or prohibit or limit the use of credit and personal information. A new section 16.1 provides for inquiries by the Registrar.

### ***Technical Standards and Safety Act, 2000***

An assessor appointed by the Corporation is allowed to impose an administrative penalty on a person if the assessor is satisfied that the person has contravened or is contravening a prescribed provision of the Act or the regulations, a restriction, limitation or condition of a prescribed authorization or a prescribed Minister's order or a prescribed director's order. The prescribing regulation is made by the Lieutenant Governor in Council. The person against whom an order imposing an administrative penalty is made can appeal the order to the person prescribed by a regulation made by the Minister or to the Licence Appeal Tribunal if the Minister has not prescribed a person for that purpose.

The Lieutenant Governor in Council may make regulations governing standards of availability for elevating devices or classes of them, including standards for their repair and time requirements for their repair, governing the reporting of outages as related to elevating devices or classes of them and requiring a director to establish one or more publicly accessible databases of information with respect to elevating devices or classes of them.

**An Act to amend the Consumer Reporting Act and the Technical Standards and Safety Act, 2000**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**CONSUMER REPORTING ACT**

**1 The French version of the *Consumer Reporting Act* is amended by striking out “Commission” wherever it appears in the following provisions and substituting in each case “Tribunal”:**

1. Subsection 4 (3).
2. Subsections 6 (2), (3) and (6).
3. Clause 6 (8) (b).
4. Subsection 14 (4).
5. Clause 25 (e).

**2 Subsection 1 (1) of the Act is amended by adding the following definitions:**

“consumer score” means a consumer score as defined in the regulations, or if consumer score is not defined in the regulations, a score, grade or value assigned to a consumer that is generated from information about the consumer maintained by a consumer reporting agency; (“pointage du consommateur”)

“prescribed” means prescribed by the regulations made under this Act; (“prescrit”)

**3 The French version of subsections 6 (4) and (5) of the Act is repealed and the following substituted:**

**Pouvoirs du Tribunal**

(4) Si l’auteur de la demande ou l’inscrit demande une audience devant le Tribunal conformément au paragraphe (2), le Tribunal fixe la date et l’heure de l’audience, et la tient. À la demande du registrateur à l’audience, le Tribunal peut enjoindre à celui-ci, par ordonnance, de mettre à exécution son intention ou de s’en abstenir, ou de prendre les mesures qu’il estime opportunes aux termes de la présente loi et des règlements. À cette fin, il peut substituer son opinion à celle du registrateur.

**Conditions de l’ordonnance**

(5) Le Tribunal peut assortir son ordonnance ou l’inscription des conditions qu’il considère opportunes pour l’application de la présente loi.

**4 Clause 9 (3) (m) of the Act is repealed and the following substituted:**

(m) any other information that may be prescribed.

**5 Section 12 of the Act is repealed and the following substituted: Right of consumer to request disclosure**

**12 (1) A consumer may, in writing, request a consumer reporting agency to provide,**

- (a) the consumer’s consumer report; or
- (b) the consumer’s current consumer score and consumer report.

## **Electronic requests**

(2) A consumer may make a request under subsection (1) electronically.

### **Content of disclosure under cl. (1) (a)**

(3) If a consumer makes a request under clause (1) (a), the consumer reporting agency shall, in accordance with this section, section 12.0.1 and any prescribed requirements, disclose to the consumer the following information:

1. The nature and substance of all information in the consumer reporting agency's files pertaining to the consumer at the time of the request.
2. The sources of credit information.
3. The name and contact information, including the address and the telephone number or email address, of every person on whose behalf the file has been accessed within the three-year period preceding the request.
4. If the agency furnished a consumer report pertaining to the consumer within the one-year period preceding the request,
  - i. the names and contact information, including the address and the telephone number or email address, of the recipients of that report, and
  - ii. a copy of the consumer report if it was furnished in writing or the particulars of the content of the report if it was furnished orally.
5. If the agency generated and furnished a consumer score, furnished a consumer score generated by another entity or furnished any other information evaluating the credit or personal information of the consumer within the one-year period preceding the request,
  - i. the names and contact information, including the address and the telephone number or email address, of the recipients of that score or information, and
  - ii. the score and the particulars of any other information evaluating the credit or personal information of the consumer.
6. Any other information relating to the consumer score that may be prescribed.

### **Content of disclosure under cl. (1) (b)**

(4) If a consumer makes a request under clause (1) (b), the consumer reporting agency shall, in accordance with this section, section 12.0.1 and any prescribed requirements, generate the consumer's current consumer score and disclose the following information to the consumer:

1. The consumer score.
2. The date on which the consumer score was generated.
3. The range of possible consumer scores under the method used.
4. The primary factors used by the agency in generating consumer scores under the method used.
5. The information listed in subsection (3).
6. Any other information that may be prescribed.

### **Disclosure of right to dispute**

(5) When a consumer reporting agency discloses information under this section, the agency shall inform the consumer of his or her right to dispute any information contained in the file under section 13 and the manner in which a dispute may be made.

### **Request for disclosure**

- (6) When making a request for disclosure under this section, a consumer shall,
- (a) provide the consumer reporting agency with a copy of any prescribed identification and a copy of any other identification the agency may reasonably require to verify the consumer's identity;
  - (b) indicate to the consumer reporting agency by which of the methods referred to in subsection (7) the consumer chooses to receive the disclosure; and
  - (c) provide the consumer reporting agency with any other prescribed information.

### **Method of disclosure**

(7) A consumer reporting agency shall disclose information in whichever of the following methods the consumer chooses in the consumer's request:

1. In person, if the consumer attends personally at the agency's premises during normal business hours for that purpose.
2. By telephone.
3. By mail.
4. Electronically.
5. By a prescribed method of disclosure.

### **Timing of disclosure**

(8) The consumer reporting agency shall make disclosures required under this section in accordance with the following rules respecting timing:

1. If a consumer chooses to receive the disclosure in person, by telephone or by mail, the consumer reporting agency shall have the information available or mail the information, as applicable,
  - i. on or before the prescribed deadline, or
  - ii. if no deadline is prescribed, within a reasonable time in the circumstances after the consumer provides everything required under subsection (6).
2. If a consumer chooses to receive the disclosure electronically, the consumer reporting agency shall send the electronic copy,
  - i. on or before the prescribed deadline, or
  - ii. if no deadline is prescribed, on or before the day that is two business days after the consumer provides everything required under subsection (6).
3. If the consumer chooses to receive the disclosure by a prescribed method the consumer reporting agency shall provide the disclosure on or before the prescribed deadline.

### **Plain language**

(9) A disclosure made under this section must be in understandable language and if it is made in writing it must be easily readable.

### **Consumer's adviser**

(10) A consumer who chooses to receive a disclosure in person shall be permitted to be accompanied by one other person of his or her choosing to whom the consumer reporting agency may be required by the consumer to disclose the consumer's information.

### **Trained personnel**

(11) Every consumer reporting agency shall provide trained personnel to explain to the consumer any information disclosed to him or her under this section.

### **Explanation of consumer score**

(12) If a consumer who received a disclosure under subsection (4) makes a request in accordance with any prescribed requirements to the consumer reporting agency that made the disclosure, the agency shall explain to the consumer how the consumer's credit or personal information has affected the consumer's consumer score.

### **Fees**

(13) A consumer reporting agency shall not charge a fee for making a disclosure under this section unless the agency is permitted to do so by the regulations.

### **Same, exception for electronic disclosure**

(14) Despite subsection (13), if the consumer requests the electronic disclosure of a consumer report or a consumer score and consumer report and the consumer reporting agency has already made an electronic disclosure to the consumer two or more times during the calendar year in which the request is made, the agency may charge a fee for the disclosure, subject to any prescribed limitations.

### **Same, exception for disclosure under cl. (1) (b)**

(15) Despite subsection (13), if the consumer requests the disclosure, by any method, of a consumer score and consumer report under clause (1) (b) and the consumer reporting agency has already made a disclosure by any method under subsection

(4) to the consumer two or more times during the calendar year in which the request is made, the agency may charge a fee for the disclosure, subject to any prescribed limitations.



## **No conditions**

(16) A consumer reporting agency shall not require a consumer to give any undertaking or waive or release any right as a condition of receiving a disclosure under this section.

## **Exception for certain medical information**

(17) A consumer reporting agency shall withhold from the disclosures required under this section any medical information obtained with the written consent of the consumer which the consumer's own physician has specifically requested in writing be withheld from the consumer in his or her own best interest.

## **Consumer scores**

**12.0.1** (1) Subject to subsection (2), when generating a consumer score, a prescribed consumer reporting agency shall use the method that is most commonly used by the agency to generate scores.

## **Prescribed method of generating consumer score**

(2) If the regulations prescribe a method of generating a consumer score to be used for a prescribed purpose or in a prescribed circumstance, the consumer reporting agency shall use that method when generating a consumer score for the purpose or in the circumstances, as the case may be.

## **Previous requests not a factor**

(3) The consumer reporting agency shall ensure that the fact that a consumer has made a request for disclosure under section 12, or exercised any other right under this Act, is not used in the generation of a consumer score with respect to that consumer.

## **Publication of information about consumer scores**

(4) The consumer reporting agency shall, in accordance with any prescribed requirements, publish any prescribed information about consumer scores on a website maintained by the agency.

## **6 The Act is amended by adding the following sections: Security freeze**

**12.4** (1) A prescribed consumer reporting agency shall place a security freeze on the file of a consumer on or before the prescribed deadline if,

- (a) the consumer has, in accordance with this section and any prescribed requirements, required the agency to place a security freeze on the file; and
- (b) the consumer has complied with subsection (9) and any prescribed requirements.

## **Effect of security freeze**

(2) During the period that a security freeze on a consumer's file is in effect, the consumer reporting agency shall not disclose any credit or personal information about the consumer maintained by the agency, including any consumer scores, to any person.

## **Suspending a security freeze**

- (3) The consumer reporting agency shall suspend a security freeze on or before the prescribed deadline if,
- (a) the consumer whose file is subject to the security freeze requires the suspension in accordance with this section and any prescribed requirements; and
  - (b) the consumer has complied with subsection (9) and any prescribed requirements, including any requirements respecting the duration of a suspension.

## **Same, duration**

(4) If the consumer reporting agency is required to suspend a security freeze under subsection (3), the suspension shall be for the duration specified by the consumer.

## **Same, effect**

(5) A security freeze that is suspended is not in effect.

## **Terminating a security freeze**

- (6) The consumer reporting agency shall terminate a security freeze on or before the prescribed deadline if,
- (a) the consumer whose file is subject to the security freeze requires the termination in accordance with this section and any prescribed requirements; and
  - (b) the consumer has complied with subsection (9) and any prescribed requirements.

## **Expiry**

- (7) Unless terminated earlier, a security freeze expires at the end of the prescribed period, if any.

## **Disclosure despite a security freeze**

- (8) Despite subsection (2), the consumer reporting agency may, in accordance with any prescribed requirements, disclose to prescribed persons and entities such information as may be maintained by the agency about a consumer, if the information is prescribed.

## **Identification**

- (9) A consumer who requires a consumer reporting agency to place, suspend or terminate a security freeze shall provide the agency with a copy of any prescribed identification and a copy of any other identification the agency may reasonably require to verify the consumer's identity.

## **Fees**

- (10) A consumer reporting agency shall not charge the consumer a fee for placing, suspending or terminating a security freeze unless the agency is permitted to do so by regulations.

## **Information**

- (11) When a consumer requires that a security freeze be placed on his or her file, the consumer reporting agency shall provide the consumer with the information referred to in section 12.5 and the name and telephone number or email address of a person the consumer can contact for an explanation of the information.

## **Publication of information re alerts and freezes**

**12.5** Every prescribed consumer reporting agency shall, in accordance with any prescribed requirements, publish the following information on a website maintained by the agency:

1. A description of alerts and their implications.
2. A description of security freezes and their implications.
3. Information respecting how a consumer may request an alert or security freeze.
4. Information respecting how a consumer may remove an alert and terminate a security freeze.
5. Information respecting how a consumer may make directions to disclose to particular persons or entities during a security freeze.
6. Any other prescribed information respecting consumer alerts and security freezes.

## **7 Subsection 13 (1) of the Act is repealed and the following substituted:**

### **Correction of errors**

- (1) Subject to any prescribed limitations, a consumer may, in accordance with any prescribed requirements, dispute the accuracy or completeness of any item of information contained in his or her file and the consumer reporting agency shall, within a reasonable time and in accordance with any prescribed requirements, use its best endeavours to confirm or complete the information and shall correct, supplement or delete the information in accordance with good practice.

## **8 (1) Subsection 14 (1) of the Act is repealed and the following substituted:**

### **Order by Registrar re proof and documentation**

- (1) In connection with a complaint made to the Registrar in respect of a consumer reporting agency or in connection with an inspection or investigation of a consumer reporting agency undertaken under this Act, the Registrar may order a consumer reporting agency to,
- (a) obtain proof or documentation of the credit and personal information contained in a consumer file from the source of that information; and
  - (b) provide a copy of the proof and documentation **105** credit and personal information to the Registrar in a

reasonable time period and in the form and manner specified by the Registrar.

## **Order by Registrar re information**

(1.1) The Registrar may order a consumer reporting agency to amend or delete credit and personal information or restrict or prohibit the use of credit and personal information if,

- (a) the agency failed to comply with an order under subsection (1) with respect to the information; or
- (b) in the Registrar's opinion the information maintained by the agency is inaccurate, incomplete or does not comply with the provisions of this Act or the regulations.

## **(2) The French version of subsection 14 (3) of the Act is repealed and the following substituted:**

### **Audience devant le Tribunal**

(3) Si le consommateur ou l'agence de renseignements sur le consommateur s'estime lésé par une décision du registrateur aux termes du présent article, le consommateur ou l'agence de renseignements sur le consommateur peut demander une audience au Tribunal. L'article 6 s'applique alors avec les adaptations nécessaires à la décision de la même manière qu'à une intention exprimée par le registrateur aux termes de l'article 6 et comme si le consommateur et l'agence de renseignements sur le consommateur étaient l'auteur de la demande ou l'inscrit. Toutefois, l'ordre du registrateur peut être exécutoire immédiatement sauf suspension par le Tribunal jusqu'à ce que l'ordre soit définitif.

## **9 The Act is amended by adding the following section:**

### **Inquiry by Registrar**

**16.1** (1) For the purposes of ensuring compliance with this Act and the regulations, the Registrar, or a person designated by the Registrar in writing, may inquire into, and direct a consumer reporting agency to provide, within such time as the Registrar or designated person may specify, information about the agency's practices in connection with any of the requirements in this Act and the regulations.

### **Duty to provide information**

(2) If the Registrar or a designated person requires the production of information from a consumer reporting agency under subsection (1), the consumer reporting agency shall provide that information to the Registrar or designated person within the specified time.

### **Orders**

(3) If, after giving the consumer reporting agency an opportunity to be heard, the Registrar determines that a practice of the agency contravenes this Act or the regulations, the Registrar may order the agency to amend or discontinue the practice.

### **Limits on orders**

(4) The Registrar may order no more than what is reasonably necessary to achieve compliance with this Act or the regulations.

### **Appeal**

(5) If a consumer reporting agency considers itself aggrieved by an order of the Registrar under this section, the agency may apply to the Tribunal for a hearing in accordance with the prescribed procedures and section 6 applies with necessary modifications except as otherwise specified by the regulations.

## **10 Section 24.1 of the Act is repealed.**

### **11 (1) Section 25 of the Act is amended by adding the following clauses:**

(0.a) prescribing anything that is referred to in this Act as prescribed;

. . . . .

(a.1) defining the term "consumer score" in subsection 1 (1);

### **(2) Clause 25 (h) of the Act is repealed and the following substituted:**

(h) exempting a class of consumer reporting agencies from any provision of section 12 or limiting the extent to which any provision of section 12 applies to a class of consumer reporting agencies;

- (h.1) clarifying the requirements with respect to disclosures for the purposes of subsection 12 (9);
  - (h.2) permitting, limiting and governing fees for the purposes of subsections 12 (13), (14) and (15) that a consumer reporting agency may charge with respect to a disclosure under section 12;
  - (h.3) prescribing methods for generating a consumer score and the purposes and circumstances in which a prescribed method is to be used by a consumer reporting agency for the purposes of section 12.0.1;
  - (h.4) governing the information, including specified wording, that a consumer reporting agency shall publish with respect to consumer scores for the purposes of subsection 12.0.1 (4);
- (3) **Section 25 of the Act is amended by adding the following clauses:**
- (m) permitting and governing fees for the purposes of subsection 12.4 (10) that a consumer reporting agency may charge for placing, suspending or terminating a security freeze;
  - (m.1) governing the information, including specified wording, that a consumer reporting agency shall publish with respect to alerts and security freezes for the purposes of section 12.5;
- . . . . .
- (r) governing the payment of fees for an application for registration or a renewal of registration under this Act and prescribing the amount of those fees;

**TECHNICAL STANDARDS AND SAFETY ACT, 2000**

**12 The heading before section 1 of the *Technical Standards and Safety Act, 2000* is repealed and the following substituted:**

**PART I**

**PURPOSE, APPLICATION, DEFINITIONS**

**13 Section 3 of the Act is amended by adding the following definitions:**

- “administrative penalty” means an administrative penalty imposed under section 32.1;
- (“pénalité administrative”) “assessor” means a person appointed as an assessor under this Act; (“évaluateur”)

**14 The Act is amended by adding the following heading before the heading “Corporation” before section 3.1:**

**PART II  
ADMINISTRATION**

**15 Subsection 3.16 (2) of the Act is amended by adding the following paragraph:**

- 9. An assessor.

**16 Sections 4 and 5 of the Act are repealed and the following substituted:**

DIRECTORS, INSPECTORS, INVESTIGATORS AND ASSESSORS

**Appointments of directors, inspectors, investigators and assessors**

4 (1) The Corporation may appoint directors, inspectors, investigators and assessors for the purposes of this Act, the regulations or a Minister’s order, including for the purpose of determining whether authorization holders continue to meet the requirements for authorization and the requirements of this Act, the regulations and Minister’s orders.

**Restrictions**

- (2) An appointment is subject to the restrictions, limitations and conditions set out in it.

**Identification**

- (3) A director, inspector, investigator or assessor shall produce, on request, evidence of his or her appointment.

**Powers of director**

5 (1) A director has general supervisory and administrative responsibility in respect of all or any part of this Act, the regulations or a Minister's order with respect to which he or she is appointed.

### **Powers regarding inspectors, investigators and assessors**

- (2) Unless otherwise stated in his or her appointment, a director,
- (a) may supervise and direct inspectors, investigators, assessors and other persons responsible for administering or enforcing this Act, the regulations or a Minister's order; and
  - (b) is an inspector, an investigator and an assessor and may exercise any of their powers and perform any of their duties.

### **Delegation**

(3) A director may delegate in writing any of his or her powers or duties to any person subject to the restrictions, limitations and conditions set out in the delegation.

### **17 The Act is amended by adding the following heading before the heading "Authorizations" before section 6:**

#### **PART III**

#### **AUTHORIZATIONS AND SAFETY AND COMPLIANCE ORDERS**

**18 Subsection 13 (1) of the Act is amended by adding "an administrative penalty" after "a cost" in the portion before clause (a).**

**19 The Act is amended by repealing the heading before section 17 and substituting the following:**

#### **PART IV**

#### **INSPECTIONS AND ENFORCEMENT**

#### **INSPECTIONS AND INVESTIGATIONS**

**20 The Act is amended by adding the following sections:**

#### **ADMINISTRATIVE PENALTIES**

### **Order**

**32.1** (1) An assessor may, by order, impose an administrative penalty against a person in accordance with this section and the regulations made by the Minister if the assessor is satisfied that the person has contravened or is contravening,

- (a) a prescribed provision of this Act or the regulations as it applies to any thing described in section 2 that is prescribed or any prescribed class of any such thing;
- (b) a restriction, limitation or condition of a prescribed authorization; or
- (c) a prescribed Minister's order or a prescribed director's order.

### **To whom payable**

- (2) An administrative penalty is payable to the Corporation.

### **Purpose**

- (3) An administrative penalty may be imposed under this section for one or more of the following purposes:
- 1. To ensure compliance with this Act and the regulations.
  - 2. To prevent a person from deriving, directly or indirectly, any economic benefit as a result of a contravention described in subsection (1).

### **Amount**

(4) The amount of an administrative penalty shall reflect the purpose of the penalty and shall be determined in accordance with the regulations made by the Minister, but the amount of the penalty shall not exceed \$10,000.

### **Form of order**

(5) An order made under subsection (1) imposing an administrative penalty against a person shall be in the form that the Corporation determines.

## **Service of order**

(6) The order shall be served on the person against whom the administrative penalty is imposed in the manner that the Corporation determines.

## **Absolute liability**

- (7) An order made under subsection (1) imposing an administrative penalty against a person applies even if,
- (a) the person took all reasonable steps to prevent the contravention on which the order is based; or
  - (b) at the time of the contravention, the person had an honest and reasonable belief in a mistaken set of facts that, if true, would have rendered the contravention innocent.

## **No effect on offences**

(8) For greater certainty, nothing in subsection (7) affects the prosecution of an offence.

## **Other measures**

(9) Subject to section 32.3, an administrative penalty may be imposed alone or in conjunction with the exercise of any measure against a person provided by this Act or the regulations, including the application of restrictions, limitations or conditions to an authorization by a director, the suspension or revocation of an authorization or the refusal to renew an authorization.

## **Limitation**

(10) An assessor shall not make an order under subsection (1) more than two years after the day the assessor became aware of the person's contravention on which the order is based.

## **No hearing required**

(11) Subject to the regulations made by the Minister, an assessor is not required to hold a hearing or to afford a person an opportunity for a hearing before making an order under subsection (1) against the person.

## **Non-application of other Act**

(12) The *Statutory Powers Procedure Act* does not apply to an order of an assessor made under subsection (1).

## **Appeal**

32.2 (1) In this section,

“appeal body” means the person prescribed by the Minister or, if no person is prescribed by the Minister, the Tribunal; (“organisme d’appel”)

“Tribunal” means the Licence Appeal Tribunal. (“Tribunal”)

## **Same**

(2) The person against whom an order made under subsection 32.1 (1) imposes an administrative penalty may appeal the order to the appeal body by delivering a written notice of appeal to the appeal body within 15 days after receiving the order.

## **If no appeal**

(3) If the appellant does not appeal the order in accordance with subsection (2), the order is confirmed.

## **Hearing**

(4) If the appellant appeals the order in accordance with subsection (2), the appeal body shall hold a hearing and may, by order, confirm, revoke or vary the assessor's order, and the appeal body may attach conditions to its order.

## **Parties**

(5) The assessor, the appellant and the other persons that the appeal body specifies are parties to the appeal.

## **Non-application of other Act**

(6) If the appeal body is not the Tribunal, the *Statutory Powers Procedure Act* does not apply to an order of an

assessor appealed under subsection (2).

### **Immediate effect**

(7) Even if the appellant appeals an order of the appeal body, the order takes effect immediately, unless the order provides otherwise, but the Divisional Court may grant a stay until the disposition of the appeal.

### **Effect of paying penalty**

**32.3** If a person against whom an order imposing an administrative penalty is made pays the penalty in accordance with the terms of the order or, if the order is varied on appeal, in accordance with the terms of the varied order, the person cannot be charged with an offence under this Act in respect of the same contravention on which the order is based and no other prescribed measure shall be taken against the person in respect of the same contravention on which the order is based.

### **Enforcement**

**32.4** (1) If a person against whom an order imposing an administrative penalty is made fails to pay the penalty in accordance with the terms of the order or, if the order is varied on appeal, in accordance with the terms of the varied order, the order may be filed with the Superior Court of Justice and enforced as if it were an order of the court.

### **Date of order**

(2) For the purposes of section 129 of the *Courts of Justice Act*, the date on which the order is filed with the court shall be deemed to be the date of the order.

**21 The Act is amended by adding the following heading before the heading “Orders and Regulations” before section 33:**

#### **PART V GENERAL**

**22 (1) Clause 34 (1) (a) of the Act is amended by striking out “clause 35.1 (2) (a)” and substituting “clause 35.1 (b)”.**

**(2) Subsection 34 (1) of the Act is amended by adding the following clauses:**

- (n.1) establishing and governing standards of availability for elevating devices or classes of elevating devices, including standards for their repair and time requirements for their repair;
- (n.2) specifying the persons who are responsible for ensuring compliance with the standards described in clause (n.1);
- (n.3) defining outages as related to elevating devices or classes of elevating devices and governing the reporting of outages as related to elevating devices or classes of elevating devices, including specifying,
  - (i) the persons required to do the reporting,
  - (ii) the information that must be included in the reporting, and
  - (iii) form and time requirements for the reporting;
- (n.4) requiring a director to establish one or more databases of information with respect to elevating devices or classes of elevating devices that include the specified information, which may include information about the standards of availability described in clause (n.1) that apply to the devices and the information reported under clause (n.3);
- (n.5) requiring a director to make any or all of the databases described in clause (n.4) or the parts of them that are specified in the regulation accessible to the public in the specified way and governing that accessibility;
- . . . . .
- (r) delegating to the Minister the power to make regulations with respect to any matter that may be the subject of a regulation made under clause (n.2).

**(3) Section 34 of the Act is amended by adding the following subsections:**

## **Residual authority to act**

(2) Despite any delegation to the Minister under clause (1) (r) and without having to revoke the delegation, the Lieutenant Governor in Council continues to have authority to make regulations in respect of the matter that is the subject of the delegation.

## **Making regulation not revocation**

(3) If the Lieutenant Governor in Council makes a regulation to which subsection (2) applies, the regulation does not have the effect of revoking a delegation under this section unless the regulation so specifies.

## **Minister's regulations preserved**

(4) The Lieutenant Governor in Council may, by regulation, revoke a delegation to the Minister under clause (1) (r), but the revocation of a delegation does not result in the revocation of any regulation the Minister made under the delegated power before the revocation of the delegation.

## **23 (1) Section 35.1 of the Act is repealed and the**

### **following substituted: Minister's regulations**

**35.1** The Minister may make regulations,

- (a) specifying any provision of this Act, any regulation or any provision of a regulation for the purposes of clause 3.12 (1) (a) or (b);
- (b) requiring every person who is subject to this Act or the regulations to obtain and maintain liability insurance, in at least the prescribed amount and in accordance with the prescribed conditions, including deductibles;
- (c) prescribing any matter or thing described in clause (b) as prescribed.

## **(2) Section 35.1 of the Act, as re-enacted by subsection (1), is amended by adding the following clauses:**

- (d) governing administrative penalties that an assessor may order and all matters necessary and incidental to the administration of a system of administrative penalties, including,
  - (i) specifying the amount of an administrative penalty or providing for the determination of the amount of an administrative penalty by specifying the method of calculating the amount and the criteria to be considered in determining the amount,
  - (ii) providing for different amounts to be paid, or different calculations or criteria to be used, depending on the circumstances that gave rise to the administrative penalty or the time at which the penalty is paid,
  - (iii) specifying information that must be included in an order for payment of an administrative penalty,
  - (iv) governing the procedure for making an order under section 32.1 for an administrative penalty and the rights of the parties affected by the procedure, including the time at which the order is deemed to be served on the person against whom the order is made, and
  - (v) governing the appeal of an order for payment of an administrative penalty;
- (e) specifying the purposes for which the Corporation may use the funds that it collects as administrative penalties;
- (f) respecting any matter with respect to which the power to make regulations is delegated by the Lieutenant Governor in Council to the Minister under clause 34 (1) (r).

## **24 Subsection 37 (1) of the Act is repealed and the following substituted:**

### **Offences**

- (1) A person is guilty of an offence if the person,
  - (a) contravenes or fails to comply with any provision of this Act, the regulations or a Minister's order;
  - (b) knowingly makes a false statement or furnishes false information under this Act, the regulations or a Minister's order;
  - (c) contravenes or fails to comply with a term or condition of an authorization; or



- (d) contravenes or fails to comply with an order or requirement of a director, an inspector or an assessor or obstructs an inspector.

## **Penalty**

(1.1) A person convicted of an offence under subsection (1) is liable to,

- (a) a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or to both, if the person is an individual; or
- (b) a fine of not more than \$1,000,000, if the person is a body corporate.

## **COMMENCEMENT AND SHORT TITLE**

### **Commencement**

**25 (1) Subject to subsection (2), this Act comes into force on the day it receives Royal Assent.**

**(2) Sections 2 and 4 to 7, subsection 8 (1), sections 9 to 11, 13, 15, 16, 18 and 20, subsections 22 (2) and (3) and 23 (2) and section 24 come into force on a day to be named by proclamation of the Lieutenant Governor.**

### **Short title**

**26 The short title of this Act is the *Access to Consumer Credit Reports and Elevator Availability Act, 2018*.**



March 29, 2019

Chair John Henry  
Regional Municipality of Durham  
605 Rossland Rod. E  
Whitby, ON L1N 6A3

**Greater Toronto  
Airports Authority**

P.O. Box 6031  
3111 Convair Drive  
Toronto AMF, Ontario  
Canada L5P 1B2

P 416.776.3000  
F 416.776.7746

GTAA.com

Dear Chair Henry,

On behalf of the Board of Directors and Management Team at the Greater Toronto Airports Authority (GTAA), I'd once again like to congratulate you on your new role as Chair of Durham Region. Given the mandate of Toronto Pearson is to support the advancement of economic development within the region and the province, Durham is an important stakeholder for our organization. That's why we consider it essential to maintain open channels of communication between our organization and yours.

I recognize that, for many decades, Durham has sought clarity from the Government of Canada with respect to the development of an airport on the Pickering Lands. As we are scheduled to meet with you and the Mayors of Durham Region about this particular topic on May 10<sup>th</sup>, I felt it might be beneficial to provide you with some background on the GTAA's perspective on this matter in advance.

As you are aware, the decision on if or when to build an airport on the Pickering Lands, resides entirely with the federal government under the purview of Transport Canada. Over the years, Transport Canada has undertaken numerous studies through third parties, including two pieces of work completed by the GTAA. The first was a Draft Plan for the development of a regional airport and was completed in 2004. The second was a regional demand and capacity analysis for Southern Ontario and it was completed in 2011. In both cases, the analysis was completed at the request of Transport Canada by the GTAA and handed over to the department for consideration and deliberation. In many other studies pertaining to the future airport development, the GTAA has been one of numerous stakeholders invited to join the consultations.



torontopearson.com



For the last seven years, I have led the GTAA team in preparing for the growing demand in air travel that will come through our entire region over the next 30 years. On countless occasions, across the Greater Toronto and Hamilton Area, including in Durham, my team and I have communicated that the forecast for air travel in Southern Ontario by the late 2030s will reach upwards of 110 million passengers. For our part, Pearson's most recent Master Plan forecasts that Toronto Pearson will be required to support 85 million passengers by 2037, clearly necessitating other regional airports to support the growing long-term demand. We have shared this perspective in private meetings with the former Chairman of Durham and Mayor of Pickering, in annual presentations to Durham Council and meetings with other Durham stakeholders, including your local Board of Trade.

For this reason, the GTAA established the Southern Ontario Airport Network (SOAN), which has grown to include 12 airports, the most recent being the Sarnia Chris Hadfield Airport. Transport Canada sits at the SOAN table representing the interests of a potential airport in Pickering, as well as in their capacity as the regulator of airports in Canada. Transport Canada officials have provided updates to the network on the status of the work they are doing with KPMG in relation to Pickering, however no direction has been indicated to the group.

The SOAN airports are working together to discuss opportunities to develop their respective airports and surrounding economic lands. Each airport understands it has an opportunity to serve local demand as it materializes, rather than based on a date at which Pearson might reach capacity. Additionally, each airport is identifying their respective niche opportunities and limitations in taking on additional demand. I believe, as a result of the work we have undertaken together, each airport understands that it must develop its own business plan to demonstrate its ability to grow, and also to ensure that there is both a market and local community support for its vision for growth.

Ground connectivity is equally important to ensuring passengers and goods are able to move between an airport and the origin/destination for the passengers and goods, as well as attracting carriers and airport workers. SOAN airports recently participated in briefings with Metrolinx and provided their thoughts on connections to Pearson and to their local catchment areas. My team has continued to engage with the City of Pickering and the Region in discussing transit connections from the Region to Toronto Pearson, including working together to plan a stakeholder table at which we can discuss those connections, and developing a potential application to the National Trade Corridors Fund for money to study a 407 Transitway Bus Rapid Transit connection.

With respect to the Pickering lands and the potential for the development of an airport, my team and members of our Board, have consistently indicated to the Government of Canada, your counterparts in Durham, and to those in the aviation sector, that we believe a regional



airport serving local demand in the eastern GTA will eventually be required, and for that reason, the lands should be preserved for aviation purposes. Furthermore, we have spoken to all parties about the important role Toronto Pearson plays as the international hub airport for the region set out in our 2017 Master Plan, the work of SOAN, and our vision for a multi-modal transportation hub located at Pearson.

My understanding is that the Region of Durham and City of Pickering is developing the necessary business plan to support the development of a regional airport to serve local demand, which is the logical next step for you to lead.

I look forward to our meeting with you and the Mayors of Durham in May. The Greater Toronto and Hamilton Area is fortunate to have a network of existing and planned airport capacity that will grow together over time and help to deliver the prosperity of Southern Ontario and the country. A building block to this success starts with each airport having a clear vision and business plan, and support from their community, which will ensure our industry continues to play an important role in economic development in Southern Ontario.

Yours truly,

A handwritten signature in black ink, appearing to read "Howard Eng", is positioned below the closing. The signature is fluid and includes a large, stylized flourish at the end.

Howard Eng  
President & Chief Executive Officer  
Greater Toronto Airports Authority

- c: Michael Keenan, Deputy Minister, Transport Canada
- Tamara Rudge, Regional Director General – Ontario, Transport Canada
- Mayor Dave Ryan, City of Pickering
- Mayor Dave Barton, Township of Uxbridge
- Mayor Debbie Bath-Hadden, Township of Brock
- Mayor Dan Carter, City of Oshawa
- Mayor Shaun Collier, Town of Ajax
- Mayor Bobbie Drew, Township of Scugog
- Mayor Adrian Foster, Municipality of Clarington
- Mayor Don Mitchell, Town of Whitby
- Elaine Baxter-Trahair, CAO of Durham Region

March 27, 2019

Sent via email  
clerks@durham.ca

Mr. Ralph Walton  
Regional Clerk/Director of Legislative Services  
Regional Municipality of Durham  
Box 623, 605 Rossland Road East  
Whitby, Ontario, L1N 6A3

Dear Mr. Walton:

**Re: Notice of Meeting to Approve the 2019 Non-Matching Levy for Toronto and Region Conservation Authority**

Pursuant to Ontario Regulation 139/96, (as amended by O.R.106/98), I hereby give notice that Toronto and Region Conservation Authority (TRCA) will be considering its 2019 budget including non-matching municipal levy on April 26, 2019.

In accordance with the "AMO/ACAO Protocol Pertaining to Non-Matching Municipal Funding of Watershed Programs", we are advising the Region of the date of the Board of Directors meeting at which the budget will be considered and that it may wish to direct its appointed representatives as to how they should vote with respect to the non-matching levy. The weighted voting procedure required under Regulation 139/96 provides that each member votes in proportion to their municipality's share of current value assessment, as modified.

TRCA's 2019 operating and capital levy requirements for the Region of Durham are in accordance with the funding approved by Regional Council in 2019 in the amount of \$1,640,650. The incremental funding of \$42,371 for the new head office facility will be invoiced separately. Regional Finance staff has complete information on TRCA funding requirements.

We appreciate the continuing support and cooperation of the Region in fulfillment of TRCA's vision for The Living City

Yours very truly,



John MacKenzie, M.Sc.(PI) MCIP, RPP  
Chief Executive Officer

cc: Susan Siopis, Commissioner, Finance, Region of Durham  
Mary Simpson, Acting Commissioner, Finance, Region of Durham  
Nicole Pincombe, Director, Business Planning, Budgets & Risk Management, Region of Durham  
Jennifer Innis, Chair, Board of Directors, TRCA  
Kevin Ashe, Member, Board of Directors, TRCA  
Joanne Dies, Member, Board of Directors, TRCA  
Gord Highet, Member, Board of Directors, TRCA



# DURHAM REGION LABOUR COUNCIL

P.O. Box 543 Stn. Main Lindsay ON K9V4S5

Phone: (905) 579-5188

E-Mail: durhamlc@durhamlabour.ca

MAR 29 '19 PM 2:05

March 27, 2019

Chair & Members of Council  
c/o Regional Clerk  
Durham Region  
605 Rossland Rd. E.  
Whitby ON L1N 6A3

Dear Chair Henry & Members of Council:

On Sunday April 28, 2019, the Durham Region Labour Council will be observing the National Day of Mourning at Oshawa City Hall. The ceremony including the laying of wreaths will begin at 12 NOON at the Day of Mourning Monument area. Please place our following request before Council at your next meeting.

The Day of Mourning was officially recognized by the Ontario Provincial Legislature in 1988. In 1991, An Act Respecting a Day of Mourning for Persons Killed or Injured in the Workplace passed through all stages of the House of Commons and the Senate. The Bill which now proclaims April 28<sup>th</sup> of each year as a National Day of Mourning received Royal Assent on February 1, 1991 and is now law. The Day of Mourning is also officially recognized in many countries throughout the world.

We ask that your municipality join with us in paying respect to those working people who have died at the workplace, or suffered injuries on the job by passing a resolution proclaiming Sunday April 28, 2019 as "Day of Mourning". We also request that flags be lowered, where possible, on Municipal Buildings in honour and remembrance of those killed at the workplace.

While we mourn the dead, we must dedicate ourselves to fight for the living and prevent this terrible and unnecessary toll by ensuring that our governments constantly review and enforce health and safety regulations, that all workplaces adhere to health and safety regulations and that all workers are regularly trained in all health and safety aspects of their workplace.

We also take this opportunity to invite you and all Members of Council to attend our event.

Thank you for your assistance in these matters.

Yours truly,

William Stratton, Chair  
Day of Mourning Committee  
Durham Region Labour Council

WS/lm

### C.S. - LEGISLATIVE SERVICES

Original
To: CIP
Copy Chair Henry ✓
To: El Baier Trabaud ✓
C.C. S.C.C. File

Take Appropriate Action



Thinking  
beyond  
the box

Stewardship Ontario

Region of Durham  
605 Rossland Rd. East  
Whitby ON  
L1N 6A3

March 31, 2019

C.S. - LEGISL. DIV. APR 3 '19 PM 3:14

Original
To: CIP
Copy S.S.O.P.S
To: m. JONUSZKIEWICZ
C.C. S.C.C. File
Take Appr. Action

APR 3 2019 11:29

**RE: Industry funding for Municipal Blue Box Recycling for the fourth quarter of the 2018 Program Year**

Dear Mayor and Members of Council:

Stewardship Ontario provides payments to municipalities and First Nations equal to 50% of the total net costs incurred by those communities as a result of the Blue Box Program. Payments are made on a quarterly basis. The funding for these payments comes from companies that produce, import and sell packaging and printed paper to Ontario residents.

The Resource Productivity and Recovery Authority (RPR) determined that 2018 payments will be based on a funding obligation of \$124,844,186. This represents an increase of 1% over 2017. RPR is also responsible for setting payments to individual communities. Further details with respect to the RPR Board's determination of the 2018 obligation and the allocation to individual municipalities and First Nations is available on the RPR website ([www.rpr.ca/blue-box](http://www.rpr.ca/blue-box)).

Stewardship Ontario is pleased to provide payments to municipalities and First Nations in accordance with the RPR Board's decision.

Thank you for your ongoing dedication to resource recovery and reutilization.

Sincerely,

David Pearce  
Supply Chain Officer  
Stewardship Ontario

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

## The Regional Municipality of Durham

### MINUTES

#### DURHAM AGRICULTURAL ADVISORY COMMITTEE

March 12, 2019

A regular meeting of the Durham Agricultural Advisory Committee was held on Tuesday, March 12, 2019 in Boardroom 1-B, Regional Municipality of Durham Headquarters, 605 Rossland Road East, Whitby at 7:45 PM

Present: Z. Cohoon, Federation of Agriculture, Chair  
K. Kemp, Scugog  
K. Kennedy, Member at Large  
D. Risebrough, Member at Large  
B. Smith, Uxbridge  
G. Taylor, Pickering  
B. Winter, Ajax

Also

Present: Regional Chair Henry

Absent: I. Bacon, Member at Large  
D. Bath-Hadden, Regional Councillor  
E. Bowman, Clarington  
J. Henderson, Oshawa  
B. Howsam, Member at Large  
F. Puterbough, Member at Large, Vice-Chair  
H. Schillings, Whitby  
T. Watpool, Brock, Vice-Chair

Staff

Present: D. Hoge, Program Coordinator, Climate Change, Office of the CAO  
B. Kelly, Manager of Sustainability, Office of the CAO  
K. Kilbourne, Senior Planner, Department of Planning and Economic Development

At 7:45 PM there was no quorum. It was the consensus of the committee that they proceed with the presentations and defer all other items to the next meeting should quorum not be obtained by 7:45 PM.

#### 1. Adoption of Minutes

This item was not considered due to a lack of quorum.

#### 2. Declarations of Interest

There were no declarations of interest.



**3. Presentations**

A) Brian Kelly and Doran Hoge, Office of the Chief Administrative Officer,  
Durham Community Energy Plan Update

B. Kelly, Manager of Sustainability, provided a PowerPoint presentation regarding the Durham Community Energy Plan (DCEP). He stated that the DCEP seeks to accelerate the transition to a clean energy economy in Durham, while simultaneously achieving multiple economic, environmental and social benefits.

B. Kelly stated that the DCEP was approved for funding in the amount of \$90,000 by the Ministry of Energy MEP program in May 2016 and approved by Regional Council in June 2016. He stated that the 3 stages of the DCEP are as follows: Stakeholder Engagement; Baseline Data Study, and Plan Development. He reviewed the scope of the DCEP, Project Partners and the DCEP Process. He stated that stakeholder engagement sessions were held and key messages were identified:

B. Kelly stated that the following three Energy Scenarios were examined: Business as Usual; Business and Planned; and Low Carbon Pathway and reviewed descriptions, energy consumptions, GHG emissions, household energy expenditures and total energy expenditures of each Energy Scenario.

B. Kelly advised that the following 6 programs will be proposed to the Durham Region Climate Change Committee, the Finance and Administration Committee and subsequently to Regional Council:

1. Durham Green Standard: Enhanced energy performance for new buildings;
2. Durham Deep Retrofit Program: Transforming existing buildings;
3. Renewable Energy Co-operative: Stimulating local renewable energy projects;
4. Electric Vehicle Joint Venture Program: Happy motoring;
5. Education and Outreach Program: Engaging in the community; and
6. Coordinating Land-use Policies: Sustainable Growth

B. Kelly responded to questions of the Committee.

B) Heather Brooks, Chair of the Natural Environment Climate Change Collaborative (NECCC), Overview of NECCC Projects

H. Brooks, Chair of the Natural Environment Climate Change Collaborative (NECCC), provided a PowerPoint presentation and an overview of climate change impacts and the NECCC projects.

H. Brooks stated that NECCC is an implementer of the Durham Community Climate Adaptation Plan (DCCAP) Natural Environment Program and is comprised of staff from area municipalities, the Region of Durham and Conservation Authorities. H. Brooks provided an overview of the NECCC projects including:

- How climate change is incorporated into key strategic plans, documents, and policies in the Region and identified best practices for incorporating climate change considerations into the documents;
- Updating the Regional climate change modelling to adopt an ensemble model with Friends of the Greenbelt Foundation funding including consideration of agricultural parameters;
- Provided comments on the draft Agricultural Sector Climate Adaptation Strategy; and
- A recently hosted summit in the Town of Ajax

Discussion ensued with regards to areas of overlap including valuation of agricultural ecosystem goods and services and carbon sequestration.

C) Kristy Kilbourne, Senior Planner, Draft Durham Agricultural Sector Climate Change Adaptation Strategy

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K. Kilbourne, Senior Planner provided a PowerPoint presentation and an overview of Durham's Agricultural Sector Climate Change Adaptation Strategy.

K. Kilbourne provided a review of the input that was received from the agricultural advisory committees and advised that the strategy is scheduled to be presented to the Durham Region Roundtable on Climate Change Committee in April 2019 and to Finance and Administration Committee and Regional Council in May 2019.

Highlights of the presentation included:

- 2018 Local Food Business Retention and Expansion Study
- Durham Community Climate Adaptation Plan, 2016
- Strategy Development Milestones and Timeline
- Identified Risks to agricultural sector
- Resilience Factors
- Recommended Theme Areas
  - Theme 1: Building community capacity and research capacity;
  - Theme 2: Enhancing policy support for agriculture and climate change adaptation;
  - Theme 3: Increasing local education and awareness on agriculture and climate change adaptation; and
  - Theme 4: Addressing agricultural sector climate change adaptation through cross-sectoral programs and community partnerships
- Recommended Action Plan

**4. Discussion Items**

A) DAAC 2019-2022 Term Membership Update – K. Kilbourne

This item was not considered due to a lack of quorum.

B) Rural and Agricultural Economic Development Update – N. Rutherford

N. Rutherford provided a brief update with regards to the following:

- The Envision Durham Survey link will be sent out and is only available until the beginning of April.
- The Revitalization Through Urban Agriculture Symposium is taking place on March 30, 2019.
- Agricultural Strategy Update Consultation Sessions to be held on March 21, 2019.
- Durham Farm Connections will be hosting their annual Grade 3 Event on April 2 to 4, 2019 at the Luther Vipond Memorial Arena in Brooklin.
- N. Rutherford provided a tour of the businesses in Durham's rural area including agricultural businesses to the Chief Administrative Officer and Regional Chair.

C) 2019 DAAC Farm Tour

This item was not considered due to a lack of quorum.

D) Feedback on Municipal Fire Regulations

This item was not considered due to a lack of quorum.

**5. Information Items**

A) 2019-P-3 Proposed Durham Region Broadband Strategy – Connecting our Communities: A Broadband Strategy for Durham Region

A copy of Report #2019-P-3, Proposed Durham Region Broadband Strategy, "Connecting our Communities: A Broadband Strategy for Durham Region", was provided as Attachment #2 to the Agenda.

B) 2019-P-4 Envision Durham – Public Engagement Launch

A copy of Report #2019-P-4, Envision Durham – Public Engagement Launch, was provided as Attachment #3 to the Agenda.

C) 2019-P-5 Region of Durham Draft Woodland Conservation and Management By-law

A copy of Report #2019-P-5, Region of Durham Draft Woodland Conservation and Management By-law, was provided as Attachment #4 to the Agenda.

- D) Notice of Adoption, Regional Official Plan Amendment No. 173, Mike Kennedy

A copy of the Notice of Adoption with Respect to Amendment 173 to the Durham Regional Official Plan Section 17(23) of the Planning Act, was provided as Attachment #5 to the Agenda.

- E) 2019-P-12 Envision Durham Agriculture and Rural System Discussion Paper

A copy of Report #2019-P-12, Envision Durham – Agriculture and Rural System Discussion Paper, was provided as Attachment #5 to the Agenda.

- F) Correspondence to the Minister of MMAH re: Durham's response to Proposed Amendment 1 to the Growth Plan and 2019-P-6

A copy of the correspondence to the Minister of Municipal Affairs and Housing and Report #2019-P-6 regarding Durham Region's response to Proposed Amendment #1 to the Growth Plan for the Greater Golden Horseshoe, 2017, Regulatory Proposals under the Planning Act and Places to Grow Act, and a Proposed Framework for Provincially Significant Employment Zones, was provided as Attachments #7 and #8 to the Agenda.

**6. Other Business**

There was no other business.

**7. Date of Next Meeting**

The next regular meeting of the Durham Agricultural Advisory Committee will be held on Tuesday, April 9, 2019 starting at 7:30 PM in Boardroom 1-B, Level 1, 605 Rossland Road East, Whitby.

**8. Adjournment**

The meeting adjourned at 9:45 PM

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Z. Cohoon, Chair, Durham  
Agricultural Advisory Committee

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K. Kilbourne, Senior Planner

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

## **Regional Municipality of Durham**

### **MINUTES**

#### **DURHAM REGION ROUNDTABLE ON CLIMATE CHANGE**

**March 15, 2019**

A regular meeting of the Durham Region Roundtable on Climate Change was held on Friday, March 15, 2019 in Council Chambers, Regional Municipality of Durham Headquarters, 605 Rossland Road East, Whitby at 1:03 PM.

Present: Regional Chair Henry, left the meeting at 2:24 PM  
D. Hoornweg, Citizen Member, Chair, left the meeting at 2:09 PM  
M. Vroegh, Citizen Member, Vice-Chair  
E. Baxter-Trahair, Chief Administrative Officer, left the meeting at 2:20 PM  
C. Desbiens, Citizen Member  
T. Hall, Citizen Member  
Councillor Hight, Planning & Economic Development Committee  
J. Kinniburgh, Citizen Member  
Councillor Leahy, Finance & Administration Committee  
C. Mee, Citizen Member  
K. Shadwick, Citizen Member

Also

Present: Councillor Mitchell, left the meeting at 2:07 PM

Absent: Councillor Chapman, Health and Social Services Committee  
Councillor Crawford, Works Committee  
R. Plaza, Citizen Member

Staff

Present: S. Austin, Director of Corporate Policy and Strategic Initiatives  
B. Bridgeman, Commissioner of Planning and Economic Development  
C. Drimmie, Policy & Research Advisor, Office of the CAO  
D. Hoge, Program Coordinator, Climate Change  
M. Januszkiewicz, Director of Waste Management Services, Works  
Department  
B. Kelly, Manager of Sustainability, Office of the CAO  
S. Penak, Committee Clerk, Corporate Services – Legislative Services

#### **1. Adoption of Minutes**

Moved by D. Hoornweg, Seconded by Regional Chair Henry,  
That the minutes of the regular Durham Region Roundtable on  
Climate Change meeting held on September 14, 2018, be adopted.

**CARRIED**

**2. Declarations of Interest**

There were no declarations of interest.

**3. Words of Introduction from the Founding Chair of DRRCC**

D. Mitchell, Mayor of Whitby, provided a few words on how the Durham Region Roundtable on Climate Change Committee (DRRCC) came to be, and how he became involved with the DRRCC Committee.

**4. Election of Chair and Vice-Chair**

E. Baxter-Trahair called for nominations for the position of Chair of the Durham Region Roundtable on Climate Change.

Moved by M. Vroegh, Seconded by Regional Chair Henry,  
That D. Hoornweg be nominated for the position of Chair of the Durham Region Roundtable on Climate Change.

Moved by M. Vroegh, Seconded by Regional Chair Henry,  
That nominations be closed.

E. Baxter-Trahair asked if D. Hoornweg wished to stand. D. Hoornweg indicated that he would stand.

D. Hoornweg was acclaimed as the Chair of the Durham Region Roundtable on Climate Change.

E. Baxter-Trahair called for nominations for the position of Vice-Chair of the Durham Region Roundtable on Climate Change.

Moved by D. Hoornweg, Seconded by T. Hall,  
That M. Vroegh be nominated for the position of Vice-Chair of the Durham Region Roundtable on Climate Change.

Moved by D. Hoornweg, Seconded by T. Hall,  
That nominations be closed.

E. Baxter-Trahair asked if M. Vroegh wished to stand. M. Vroegh indicated he would stand.

M. Vroegh was acclaimed as Vice-Chair of the Durham Region Roundtable on Climate Change.

D. Hoornweg assumed the Chair.

**5. The State of Global Climate Change**

A) Greta Thunberg (6-minute video)

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The Committee viewed Greta Thunberg's Special Address, at the Annual Meeting of the World Economic Forum 2019.

B) Brian Kelly, Manager of Sustainability, Region of Durham

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B. Kelly provided a presentation titled: "The State of Global Climate Change". A copy of the presentation was provided to the Committee prior to the meeting.

Highlights from the presentation included:

- Changing the Chemistry of the Atmosphere
- Climate Changes
- Dwindling chances to stay below 2°C warming globally
- The Global Carbon Budget
- Un-burnable Carbon Analysis
- Climate Targets
- Canada's Greenhouse Gas (GHG) Emissions & Targets
- Rates of Change and Delay as a Strategy
- Climate Change: A Summary

B. Kelly advised that there is currently 225 Giga Tonnes (GT) remaining from the carbon budget, and that the most recent Intergovernmental Panel on Climate Change (IPCC) report advised that to achieve a 1.5°C target, we must reduce greenhouse gas (GHG) emissions by 50% or more by 2030 and achieve net zero emissions by 2050.

**6. A Brief History of Region of Durham Climate Plans**

A) Brian Kelly, Manager of Sustainability, Region of Durham

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B. Kelly provided a presentation titled: "A Brief History of Region of Durham Climate Plans". A copy of the presentation was provided to the Committee prior to the meeting.

Highlights from the presentation included:

- Two Streams of Activity
- Durham Region Roundtable on Climate Change
- Community Climate Change Local Action Plan (LAP) 2012
- Progress on LAP Programs
- Community Climate Adaptation Plan (DCCAP) 2016
- Future Climate in Durham (Whitby)
  - 2040s compared to 2010s: SENES Study
- Durham Climate Change Adaptation Plan (DCCAP) Background

- 8 sectors – 18 Programs
- Durham Community Energy Plan (DCEP)

B. Kelly stated that climate mitigation is about reducing our GHG emissions to the atmosphere (avoiding the un-manageable), and climate adaptation is preparing for the inevitable changes to the climate (managing the un-avoidable).

B. Kelly also stated that the future climate changes in Durham are locked in and set to get warmer, wetter, and wilder, with warmer temperatures, more precipitation and more intense rainfall expected.

B. Kelly outlined the Community Climate Change Local Action Plan (LAP) approved in 2012 and its current status.

B. Kelly provided a summary of the Community Climate Adaptation Plan (DCCAP) approved in 2016 and discussed its current status.

B. Kelly advised the Committee that the Durham Community Energy Plan (DCEP) was initiated in June 2016 and was a joint project involving Durham Region, all 8 local municipalities, and all 5 local energy utilities. He noted that the DCEP is intended to replace the Local Action Plan (LAP) and is ready for approval and implementation.

At this point, M. Vroegh, Vice-Chair, assumed the Chair for the remainder of the meeting.

## **7. Status of Climate Adaptation Plan Program Development**

### **A) Brian Kelly, Manager of Sustainability, Region of Durham**

B. Kelly provided a presentation titled: "Durham Community Climate Adaptation Plan – Status Report". A copy of the presentation was provided to the Committee prior to the meeting.

Highlights from the presentation included:

- Programs for Approval and Funding in 2018/2019 (5 programs ready to move forward)
- Climate Resilience Standard for New Houses
  - Implementing the Standard
- Storm Water Management Fee and Credit Program
  - A program to raise revenues for municipal storm water management programs
- Natural Environment Collaborative
  - The governance structure to leverage existing knowledge and resources across the Region on climate change and the natural environment
- Maximum Temperature Regulation in Rental Units



- Maximum temperature regulations to protect tenants from excessive heat, science supports a standard of 26° C indoor temperature
- Roads Vulnerability Mapping
  - Compiling an inventory to assess the vulnerability of Regional bridges and culverts to flooding due to climate change
- Additional Sectors About to be Addressed
- Issues with Implementation

B. Kelly advised that staff will return with a detailed program design in 2019 for the Storm Water Management Fee and Credit program, and the Maximum Temperature Regulation in Rental Units program. He also advised that two additional sectors will be addressed which will be the Agriculture Sector Plan and the Food Security Sector Plan.

B. Kelly advised that next steps would include securing new staff resources dedicated to adaptation in regional and local governments starting in 2019; increased capital and operating budgets starting in 2020 and identifying the next set of programs to bring forward.

## **8. Approval of Durham Community Energy Plan**

### **A) Brian Kelly, Manager of Sustainability, Region of Durham**

B. Kelly provided a presentation titled: “Durham Community Energy Plan (DCEP)”. A copy of the presentation was provided to the Committee prior to the meeting.

A copy of the memorandum from Sandra Austin, Director of Corporate Policy & Strategic Initiatives, re: Durham Community Energy Plan was received as Attachment 6 to the agenda.

Highlights from the presentation included:

- Outline
- Background on DCEP
- Purpose
- Scope of DCEP
- Project Partners
- DCEP Process
- Stakeholder Engagement
- Stakeholder Feedback – Key Messages
- Infographic, Baseline Energy Data
- Three Energy Scenarios
  - Business as Usual (BAU)
  - Business as Planned (BAP)
  - Low Carbon Pathway (LCP)
- Description of Energy Scenarios
- Energy Consumption by Scenario

- GHG Emissions by Scenario
- GHG Emissions
- Household Energy Expenditures
- Total Energy Expenditures by Scenario
- More Renewable Energy
- Increased Self-Sufficiency
- Electrification of the Economy
- Local Energy Investment
- Total Energy and Capital Expenditures
- Energy Investments and Savings by Decade
- Sources of Capital Investment
- Employment Impacts of Low Carbon Scenario
- Programs
- Next Steps

B. Kelly stated that the purpose of the Durham Community Energy Plan (DCEP) is that it seeks to accelerate the transition to a clean energy economy in Durham, while simultaneously achieving multiple economic, environmental; and social benefits. He also stated that the time frame for plan is from 2015-2050 and had a budget of \$238,000 that started at \$180,000.

B. Kelly explained the 3 energy scenarios: Business as Usual (BAU), Business as Planned (BAP), and the Low Carbon Pathway (LCP). The LCP energy scenario was selected to achieve Durham Region's GHG targets. The LCP scenario, in comparison to the BAU scenario, would reduce energy consumption by 51%, GHG emissions by 71%, household energy costs by 54%, and energy expenditures across the region by 35% or \$1.4 billion in 2050. B. Kelly stated that local employment is created from investments in energy efficiency and energy generation activities and amounts to an average of 7,000 jobs each year.

B. Kelly highlighted the 6 programs that are ready to be further developed for implementation:

- Durham Green Standard;
- Durham Deep Retrofit Program;
- Renewable Energy Co-operative;
- Electric Vehicle Joint Venture;
- Education and Outreach Program; and
- Coordinating Land-use Policies.

B. Kelly responded to questions of the Committee regarding local target dates for implementation plans; whether the Provincial or Federal government would be providing any financial assistance for implementation plans; and what are Durham Region's climate change priorities and how the necessary resources will be attained.

Moved by T. Hall, Seconded by K. Shadwick,

That the Durham Region Roundtable Climate Change (DRRCC) Committee approves in principle the Durham Community Energy Plan (DCEP);

And further:

That the DRRCC recommends to the Finance & Administration Committee for approval and subsequent recommendation to Regional Council:

- A) That the DCEP be approved in principle and that it be referred to local municipal councils and local energy utilities for their review and approval in principle;
- B) That staff be directed to incorporate the relevant elements of the DCEP related to land use planning into the new Regional Official Plan through Envision Durham – Municipal Comprehensive Review process; and
- C) That staff be authorized to further develop the details of the six programs recommended in the DCEP and bring them forward for individual approval to proceed with implementation.

CARRIED

This item will be considered by the Finance & Administration Committee meeting to be held on Tuesday, April 9, 2019.

## **9. Frequency of DRRCC Meetings**

Discussion ensued regarding the frequency of DRRCC meetings and the possibility of returning to a monthly meeting schedule as opposed to the current bi-monthly meeting schedule that was approved by Regional Council in September 2018.

S. Austin clarified the criteria for calling a special meeting.

Moved by T. Hall, Seconded by K. Shadwick,

That Section 13.1 of the DRRCC Committee Terms of Reference: "Meeting Schedule" be reconsidered.

CARRIED on a 2/3rds Vote

Moved by T. Hall, Seconded by J. Kinniburgh,

That the DRRCC Committee meeting schedule be revised to a monthly meeting schedule, and that the DRRCC Terms of Reference reflect that change.

CARRIED

**10. DRRCC 2018 Annual Report and 2019 Workplan**

A copy of the Memorandum from Sandra Austin, Director of Corporate Policy & Strategic Initiatives, re: Durham Region Roundtable on Climate Change 2018 Annual Report and 2019 Workplan was provided to the Committee prior to the meeting.

Moved by Councillor Hight, Seconded by K. Shadwick,  
That the DRRCC recommends to the Finance & Administration Committee, for approval and subsequent recommendation to Regional Council:

- A) That the DRRCC Annual report be received for information;  
and
- B) That the DRRCC 2019 Workplan be approved.

CARRIED

This item will be considered by the Finance & Administration Committee meeting to be held on Tuesday, April 9, 2019.

**11. Other Business**

A) City of Kingston and City of Vancouver declare a climate emergency

Discussion ensued regarding the recent declarations made by the City of Kingston and the City of Vancouver regarding a climate emergency. The City of Kingston declared a climate emergency at its Council meeting on March 5, 2019, and the City of Vancouver declared a climate emergency at its Council meeting on January 15, 2019.

Moved by K. Shadwick, Seconded by Councillor Hight,  
That staff be directed to investigate the climate emergencies declared in the City of Vancouver and the City of Kingston and come back to the next DRRCC committee meeting with more information; and that a representative the City of Kingston be invited to speak at the next DRRCC committee meeting on April 12, 2019, or at a subsequent meeting, regarding the declaration.

CARRIED

**12. Date of Next Meeting**

The next regular meeting of the Durham Region Roundtable on Climate Change will be held on Friday, April 12, 2019 starting at 1:00 PM in Room LL-C, Regional Headquarters Building, 605 Rossland Road East, Whitby.

**13. Adjourment**

Moved by Councillor Leahy, Seconded by K. Shadwick,  
That the meeting be adjourned.

CARRIED

The meeting adjourned at 3:03 PM.

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M. Vroegh, Vice-Chair, Durham  
Region Roundtable on Climate  
Change

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S. Penak, Committee Clerk