

Clarington

General Government Committee

Agenda

Date: Tuesday, January 2, 2018

Time: 9:30 AM

Place: Council Chambers, 2nd Floor
Municipal Administrative Centre
40 Temperance Street
Bowmanville, Ontario



Inquiries & Accommodations: For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending, please contact: Samantha Gray, Committee Coordinator, at 905-623-3379, ext. 2106 or by email at sgray@clarington.net.

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Noon Recess: Please be advised that, as per the Municipality of Clarington's Procedural By-law, this meeting will recess at 12:00 noon, for a one hour lunch break, unless otherwise determined by the Committee.

Cell Phones: Please ensure all cell phones, mobile and other electronic devices are turned off or placed on non-audible mode during the meeting.

Copies of Reports are available at www.clarington.net

1 Call to Order

2 New Business – Introduction

Members of Committee are encouraged to provide the Clerk’s Department, in advance of the meeting, a copy of any motion the Member is intending to introduce, (preferably electronic) such that staff could have sufficient time to share the motion with all Members prior to the meeting.

3 Adopt the Agenda

4 Declaration of Interest

5 Announcements

6 Adoption of Minutes of Previous Meeting

- 6.1 November 27 Minutes of a Regular Meeting of November 27, 2017 Page 6
Minutes

7 Delegations

- 7.1 Jim Boate, Durham Region Cycling Coalition (DRCC) and the Clarington Cycling Club, Regarding Report EGD-001-18 Clarington Active Transportation and Safe Roads Advisory Committee

- 7.2 Melodie Zarzeczny, Board Chair, Durham Hospice, Mark Murphy, Board Member, Durham Hospice and Jill Richardson, Board Member, Durham Hospice Regarding Communications Item 9.4, Durham Hospice – Clarington Project – Request for Land Donation

8 Communications - Receive for Information

- 8.1 GRCA Minutes Minutes of the Ganaraska Region Conservation Authority dated November 30, 2017 Page 20

- 8.2 City of Oshawa Andrew Brouwer, City Clerk, City of Oshawa – Regarding Request for Deferral of Site Selection for a Potential Cannabis Store in Oshawa

- 8.3 The Regional Municipality of Durham Ralph Walton, Regional Clerk/Director of Legislative Services, the Regional Municipality of Durham, Regarding Regional Response to Metrolinx Draft 2041 Regional Transportation Plan

9 Communications – Direction

- 9.1 Jennifer Weymark Jennifer Weymark - Regarding Diversity in Clarington Page 24
(Motion for Direction)
- 9.2 Ministry of Municipal Affairs Bill Mauro, Minister, Ministry of Municipal Affairs, Regarding Protecting Water for Future generations – Public Consultation Page 25
(Motion for Direction)
- ~~9.3 The Regional Municipality of Durham Ralph Walton, Regional Clerk/Director of Legislative Services, the Regional Municipality of Durham, Regarding Regional Response to Metrolinx Draft 2041 Regional Transportation Plan Page 27
(Motion for Direction)~~
- 9.4 Durham Hospice Melodie Zarzeczny, Board Chair – Regarding the Durham Hospice – Clarington Project – Request for Land Donation Page 65
(Motion for Direction)
- 9.5 City of Oshawa Andrew Brouwer, City Clerk, City of Oshawa – Regarding Release of Employment Lands Along Highway 407 East
(Motion for Direction)

10 Presentations

No Presentations

11 Engineering Services Department

- 11.1 EGD-001-18 Clarington Active Transportation and Safe Roads Advisory Committee Page 67

12 Operations Department

- 12.1 OPD-001-18 Plowing of Secondary Roads Page 77

- 12.2 OPD-003-18 Seniors Snow Removal Program

13 Emergency and Fire Services Department

No Reports

14 Community Services Department

No Reports

15 Municipal Clerk's Department

- 15.1 CLD-001-18 Appointment to the Newcastle Arena Board Page 86

- 15.2 CLD-002-18 Appointments to the Clarington Museums and Archives Board Page 89

- 15.3 CLD-003-18 Bill 68 – Summary of Impact and Proclamation Dates Page 92

16 Corporate Services Department

- 16.1 COD-001-18 Bill 148, Fair Workplaces, Better Jobs Act, 2017 Page 105

17 Finance Department

No Reports

18 Solicitor's Department

No Reports

19 Chief Administrative Office

No Reports

20 New Business – Consideration

21 Unfinished Business

21.1 OPD-011-17 Private Tree Protection

Page 112

22 Confidential Reports

No Reports

23 Adjournment

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Minutes of a meeting of the General Government Committee held on Monday, November 27, 2017 at 9:30 AM in the Council Chambers.

Present Were: Mayor A. Foster, Councillor S. Cooke, Councillor R. Hooper, Councillor J. Neal, and Councillor W. Woo

Regrets: Councillor C. Traill and Councillor W. Partner

Staff Present: T. Cannella arrived at 10:11 AM, J. Caruana, F. Horvath, M. Marano, R. Maciver, N. Taylor, G. Weir, J. Gallagher, S. Gray

1 Call to Order

Mayor Foster called the meeting to order at 9:30 AM.

2 New Business – Introduction

Councillor Cooke asked that a new business item, regarding Parking in Downtown Bowmanville, be added to the New Business – Consideration section of the agenda.

Councillor Neal asked that a new business item, regarding Parking in Downtown Areas, be added to the New Business – Consideration section of the agenda.

3 Adopt the Agenda

Resolution #GG-466-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That the Agenda be adopted as presented, with the addition of the new business items regarding Parking in Downtown Bowmanville and Parking in Downtown Areas.

Carried

4 Declaration of Interest

Councillor Hooper declared an interest in the New Business Item regarding Parking in Downtown Bowmanville and Parking in Downtown Areas.

5 Announcements

Members of Committee announced upcoming community events and matters of community interest.

6 Adoption of Minutes of Previous Meeting

Resolution #GG-467-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That the minutes of the regular meeting of the General Government Committee meeting held on November 6, 2017 and the special meeting of the General Government Committee of November 17, 2017, be approved.

Carried

7 Delegations

7.1 Andre O'Bumsawin, Clarington Accessibility Advisory Committee – Regarding International Day of Persons with Disabilities

Andre O'Bumsawin, Clarington Accessibility Advisory Committee, was present regarding International Day of Persons with Disabilities. He made a verbal presentation to accompany a PowerPoint presentation. Mr. O'Bumsawin thanked the Committee for proclaiming December 3, 2017 as International Day of Persons with Disabilities (IDPD). He stated that the annual observance for the international day of persons with disabilities was proclaimed by the United Nations in 1992. Mr. O'Bumsawin explained that it aims to promote the rights and wellbeing of persons with disabilities in all circles of society and development, increasing the awareness of this situation of persons with disabilities in every aspect of political, social, economic and cultural life. He stated that the theme for this year IDPD is “transformation towards sustainable and resilient society for all”. Mr. O'Bumsawin mentioned that the theme also notes the 17 sustainable development goals adopted in 2015. He explained the selection criteria for recognizing the Clarington accessibility leaders. Mr. O'Bumsawin stated that, on November 1, 2017, the following four local businesses were recognized as accessibility leaders: The Enniskillen General Store, St. Paul's United Church, Three-Six Kitchen & Lounge and Walsh's The Snug. He added that the Municipality of Clarington is also a local accessibility leader. Mr. O'Bumsawin concluded by stating that the Municipality of Clarington's Council endorsed the Multi-year Accessibility Plan 2018-2023, which outlines the initiatives which the Municipality has taken and will take to continue to meet the *Accessibility for Ontarian with Disabilities Act, 2005*.

Later in the meeting, the delegation of Andre O'Bumsawin, Clarington Accessibility Advisory Committee – Regarding International Day of Persons with Disabilities was dealt with.

8 Communications - Receive for Information

- 8.1 Minutes of the Energy from Waste – Waste Management Advisory Committee dated September 28**
- 8.2 Minutes of the Newcastle Business Improvement Area dated October 12, 2017 and November 9**
- 8.3 Minutes of the Tyrone Community Centre dated October 18, 2017**
- 8.4 Minutes of the Bowmanville Business Improvement Area dated November 14, 2017**
- 8.5 Durham York Energy Centre – Spring 2017 Voluntary Source Test – Airzone Report**
- 8.6 Laura Mcdowell, Director, Environmental Promotion and Protection, The Regional Municipality of York - Durham York Energy Centre – Regional Municipality of York Waste Diversion Program Monitoring Plan.**
- 8.7 Mirka Januszkiewicz, Director, Waste Management Services, The Regional Municipality of Durham and Laura Mcdowell, Director, Environmental Promotion and Protection, The Regional Municipality of York - Durham York Energy Centre – 2017 Compliance Monitoring Report.**
- 8.8 Mirka Januszkiewicz, Director, Waste Management Services, The Regional Municipality of Durham - Durham York Energy Centre – Regional Municipality of Durham’s Waste Diversion Program Monitoring Report for 2016**
- 8.9 Mirka Januszkiewicz, Director, Waste Management Services, The Regional Municipality of Durham and Laura Mcdowell, Director, Environmental Promotion and Protection, The Regional Municipality of York - Durham York Energy Centre – July and August 2017 Complaint and Inquiry Log.**
- 8.10 Mirka Januszkiewicz, Director, Waste Management Services, The Regional Municipality of Durham and Laura Mcdowell, Director, Environmental Promotion and Protection, The Regional Municipality of York - Durham York Energy Centre - Ambient Air Monitoring 2017, 3rd Quarterly Report**
- 8.11 Lana White, Executive Assistant/Deputy Clerk, Town of Tillsonburg – Regarding Oxford People Against Landfill**
- 8.12 Minutes of the Central Lake Ontario Conservation Authority Committee dated November 21, 2017**

Resolution #GG-468-17

Moved by Councillor Neal, seconded by Councillor Woo

That the Communication Items 8.1 to 8.12 be received for information.

Carried

9 Communications – Direction

9.1 Nancy and Hugh Towie, Clarington Polar Bear Swim Committee – Clarington Polar Bear Swim – January 1, 2018

Resolution #GG-469-17

Moved by Councillor Woo, seconded by Councillor Cooke

That the request for Emergency Services, Fire Hall #2 to attend the Clarington Polar Bear Swim on January 1, 2018, in Newcastle, be approved.

Carried

9.2 Mary Masse, Clerk, Town of Lakeshore– Provincial Flood Insurance Program

Resolution #GG-470-17

Moved by Councillor Hooper, seconded by Councillor Woo

That the following Town of Lakeshore resolution, regarding Provincial Flood Insurance Program, be endorsed by the Municipality of Clarington:

Whereas weather patterns seem to have changed, in that excessive and prolonged rains are now becoming more frequent and regular,

Whereas there is an increased chance of flooding, as result of excessive and prolonged rains;

Whereas property owners in areas that are at an increased risk of flooding are often unable to purchase flood insurance to protect their properties; and

Whereas the cost of property repairs after a flood cause financial hardship for individuals, families and businesses.

Now therefore be it resolved that the government of Ontario be urged to create a Provincial Flood Insurance Program, to cover those individuals, families and businesses who are unable to secure flood insurance for their properties;

Be it further resolved that a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Patrick Brown, Leader of

the Progressive Conservative Party, the Honourable Andrea Horwath, Leader of the New Democratic party, and all MPPs in the Province of Ontario; and

Be it further resolved that a copy of this motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Carried

9.3 Laura Ryan, Mayor, Town of Mono – On-Call Provisions of Bill 148, Fair Workplaces, Better Jobs Act, 2017

Resolution #GG-471-17

Moved by Councillor Cooke, seconded by Councillor Neal

That Communication Item 9.3, Laura Ryan, Mayor, Town of Mono – On-Call Provisions of Bill 148, Fair Workplaces, Better Jobs Act, 2017, be endorsed.

Motion Withdrawn

Resolution #GG-472-17

Moved by Councillor Cooke, seconded by Councillor Neal

That Communication Item 9.3, Laura Ryan, Mayor, Town of Mono – On-Call Provisions of Bill 148, Fair Workplaces, Better Jobs Act, 2017, be received for information.

Carried

9.4 Tyrone Bilinski – Regarding Services in the Area of Leskard Road, North of Concession 7 near Orono

Resolution #GG-473-17

Moved by Councillor Neal, seconded by Councillor Woo

That Communication Item 9.4, Tyrone Bilinski – Regarding Services in the Area of Leskard Road, North of Concession 7 near Orono, be forwarded to the MP and MPP to encourage in dialogue.

Carried

10 Presentations

10.1 Steve McMullen, Forest Recreation Technician, Ganaraska Region Conservation Authority, Regarding an Overview of the Recreational Use and Management of the Ganaraska Forest

Steve McMullen, Forest Recreation Technician, Ganaraska Region Conservation Authority, was present regarding an overview of the recreational use and management of the Ganaraska Forest. He made a verbal presentation to accompany an electronic presentation. Mr. McMullen provided an overview of the Ganaraska Forest and the recreational opportunities provided. He displayed a map of the Ganaraska Forest stating that it is divided in three areas. Mr. McMullen explained that all recreational use of the forest requires the purchase of a forest membership or day pass and the user fees are based on the intensity of the use. He stated that, with the size of the forest and the multiple access points, public education and enforcement are very important. Mr. McMullen explained that hiring pay duty officers has proven to be the most effective form of enforcement as well as having staff and volunteers conduct periodic patrols of the forest. He stated that the recreational users committee is made up of representatives from each of the main user groups as well as a municipal representative for each municipality with jurisdiction in the forest. He explained that the Committee aids in recreational management of the forest and discusses issues including safety concerns, public education and enforcement and trail maintenance. Mr. McMullen stated that a new management plan was prepared and a new terms of reference for the User Committee will be approved by the board.

Resolution #GG-474-17

Moved by Councillor Woo, seconded by Councillor Hooper

That the presentation of Steve McMullen, Forest Recreation Technician, Ganaraska Region Conservation Authority, Regarding an Overview of the Recreational Use and Management of the Ganaraska Forest, be received with thanks.

Carried

7.1 Andre O'Bumsawin, Clarington Accessibility Advisory Committee – Regarding International Day of Persons with Disabilities - Continued

Resolution #GG-475-17

Moved by Councillor Woo, seconded by Councillor Neal

That the delegation of Andre O'Bumsawin – Regarding the International Day of Persons with Disabilities be received with thanks; and

That the Clarington Accessibility Advisory Committee, be thanked for their efforts.

Carried

10.2 Mark Peacock, Director, Watershed Services, Ganaraska Region Conservation Authority, Regarding Proposed Shoreline Management Plan

Mark Peacock, Director, Watershed Services, Ganaraska Region Conservation Authority, was present regarding Proposed Shoreline Management Plan. He made a verbal presentation to accompany an electronic presentation. Mr. Peacock provided a background on the current shoreline management plan, completed in 1990, called the Sandwell Report, and outlined the gaps within the study. Mr. Peacock stated that the technical elements of an updated shoreline management study should include: erosion/recession rates and processes, flooding, and natural heritage. He outlined the process which will be done in three phases. Mr. Peacock explained the work completed to date including utilizing new technologies to survey erosion and recession rates and understanding the shoreline natural heritage. He provided an update on the shoreline terrestrial study to assess the current status of terrestrial natural features. Mr. Peacock outlined the methodology and data collected through the process. He stated that phase one of the Sandwell update study will cost \$300,000 and outlined the sources of funding. Mr. Peacock concluded by outlining other Lake Ontario work in understanding water quality and nutrient issues.

Resolution #GG-476-17

Moved by Councillor Woo, seconded by Councillor Cooke

That the presentation of Mark Peacock, Director, Watershed Services, Ganaraska Region Conservation Authority, Regarding Proposed Shoreline Management Plan, be received with thanks.

Carried

Recess

Resolution #GG-477-17

Moved by Councillor Woo, seconded by Councillor Neal

That the Committee recess for 10 minutes.

Carried

The meeting reconvened at 11:08 AM with Mayor Foster in the Chair.

10.3 Chris Jones, Director of Planning and Regulation, and Annie, Geographic Information Systems Specialist, Central Lake Ontario Conservation Authority, Regarding Lake Ontario Shoreline Erosion and Flooding

Chris Jones, Director of Planning and Regulation, Central Lake Ontario Conservation Authority, was present regarding Lake Ontario Shoreline Erosion and Flooding. He made a verbal presentation to accompany an electronic presentation. Mr. Jones outlined a dynamic shoreline and displayed a video of how a spit is created and coastal processes. He provided an overview of the watershed context. Mr. Jones previewed fly-through videos showing the maximum daily mean level in 2017, riverine regulatory flood and Lake Ontario 100 year flooding. He provided the Committee with a map of the Darlington area shorelines through time, from 1931, 1967, 1991 and 2016.

Suspend the Rules

Resolution #GG-478-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That the Rules of Procedure be suspended to allow the presentation of Chris Jones to be extended for an additional five minutes.

Carried

Resolution #GG-479-17

Moved by Councillor Hooper, seconded by Councillor Neal

That the presentation of Chris Jones, Director of Planning and Regulation, Central Lake Ontario Conservation Authority, Regarding Lake Ontario Shoreline Erosion and Flooding, be received with thanks.

Carried

Recess

The Committee recessed for their one hour scheduled break as per the Procedural By-law.

The meeting reconvened at 1:01 PM with Councillor Woo in the Chair.

11 Engineering Services Department

11.1 EGD-021-17 Baywood Subdivision Phase 5, Bowmanville, Plan 40M-2462 'Certificate of Acceptance' and 'Assumption By-law, Final Works Including Roads and Other Related Works

Resolution #GG-480-17

Moved by Councillor Cooke, seconded by Councillor Hooper

That Report EGD-021-17 be received;

That the Director of Engineering Services be authorized to issue a 'Certificate of Acceptance' for the Final Works, which includes final stage roads and other related Works, constructed within Plan 40M-2462;

That Council approve the by-law attached to Report EGD-021-17 assuming certain streets within Plan 40M-2462 and external Plan 40M-2066 as public highways; and

That all interested parties listed in Report EGD-021-17 be advised of Council's decision.

Carried

Mayor Foster chaired this portion of the meeting.

12 Operations Department

12.1 OPD-007-17 Electronic Message Board for Community Events in Courtice

Resolution #GG-481-17

Moved by Councillor Cooke, seconded by Councillor Neal

That Report OPD-007-17 be received;

That Council the Tooley's Mill Park location be designated as the location for the electronic message board; and

That staff include the cost of the sign to the 2018 Budget as an option for Council's consideration.

Carried

12.2 OPD-011-17 Private Tree Protection

Resolution #GG-482-17

Moved by Councillor Hooper, seconded by Councillor Neal

That Report OPD-011-2017 be referred to the General Government Committee meeting of January 2, 2018.

Carried

Councillor Cooke chaired this portion of the meeting.

13 Emergency and Fire Services Department

13.1 ESD-008-17 Emergency Services Activity Report – Q3 2017

Resolution #GG-483-17

Moved by Councillor Hooper, seconded by Mayor Foster

That Report ESD-008-17 be received for information.

Carried

14 Community Services Department

No Reports for this section of the Agenda.

Mayor Foster chaired this portion of the meeting.

15 Municipal Clerk's Department

15.1 CLD-019-17 Appointment to the Ganaraska User Committee

Resolution #GG-484-17

Moved by Councillor Woo, seconded by Councillor Neal

That Report CLD-019-17 be received;

That Anthony Wood be appointed to the Ganaraska Forest Recreation User Committee for a term ending December 31, 2018; and

That all interested parties listed in Report CLD-019-17 and any delegations be advised of Council's decision.

Carried

16 Corporate Services Department

16.1 CSD-021-17 Janitorial Supplies

Resolution #GG-485-17

Moved by Councillor Hooper, seconded by Councillor Woo

That Report COD-021-17 be received;

That Wood Wyant with an annual bid amount of \$76,835.14 (Net HST Rebate) being the lowest compliant bidder meeting all terms, conditions and specifications for Category A Paper Products of Tender CL2017-34 supply and delivery of Janitorial supplies for an initial term of two years;

That, pending satisfactory pricing and service, the Purchasing Manger be given the authority to extend the contract for this goods and service for up to three additional one year terms;

That the funds required for this contract be drawn from the respective operating accounts; and

That all interested parties listed in Report COD-021-17 and any registered interested parties will be advised of Council's decision regarding the award by the Corporate Services Department.

Carried

17 Finance Department

17.1 FND-017-17 2018 Interim Tax Levy

Resolution #GG-486-17

Moved by Councillor Woo, seconded by Councillor Hooper

That Report FND-017-17 be received;

That Council approve the interim rating by-law attached to Report FND-017-17 as Attachment 1, and

That Council authorize the Director of Finance/Treasurer to proceed with the production of the 2018 interim tax bills.

Carried

17.2 FND-018-17 Service Fee Amendments

Resolution #GG-487-17

Moved by Councillor Neal, seconded by Councillor Woo

That Report FND-018-17 be received;

That the recommended increase to fees addressed in Report FND-018-17 be approved;
and

That the By-law, attached to Report FND-018-17 as Attachment 2, be approved.

Carried as Amended
(See following motions)

Resolution #GG-488-17

Moved by Councillor Neal, seconded by Councillor Hooper

That the foregoing Resolution #GG-487-17 be amended by change the following:

“That the fee for Tax Certificate – Rush Service – Same Day, be changed from
\$85.00 to \$75.00

Carried

Resolution #GG-489-17

Moved by Councillor Neal, seconded by Councillor Cooke

That the foregoing Resolution #GG-487-17 be amended by change the following:

“That the fee for Electronic Payment Correction, be changed from \$40.00 to
\$25.00

Carried

The foregoing Resolution #GG-487-17 was then put to a vote and carried as amended.

18 Solicitor’s Department

No Reports for this section of the Agenda.

19 Chief Administrative Office

No Reports for this section of the Agenda.

20 New Business – Consideration

20.1 Free Parking in Downtown Bowmanville

Councillor Hooper declared an interest in New Business Item regarding free parking in Downtown Bowmanville as he is the downtown business owner. Councillor Hooper left the room and refrained from discussion and voting on this matter.

Resolution #GG-490-17

Moved by Councillor Cooke, seconded by Councillor Neal

Whereas Section 34 (3) of Clarington's Traffic By-law 2014-059 allows that Council may, by resolution, designate an area or areas for a certain period to be exempt from the payment of parking fees and any areas so designated shall be denoted by a parking meter cover placed over the meter;

Now therefore be it resolved that the Municipality of Clarington designate the area in downtown Bowmanville, regulated by parking meters, as a free parking area between Saturday, December 16, 2017 and Tuesday, January 2, 2018; and

That Staff be directed to take the appropriate steps, including covering the meters with bags and advising the public via social media and notices placed on Clarington's website.

Carried

20.2 Parking in Downtown Areas

Councillor Neal did not introduce the New Business Item regarding Parking in Downtown Areas.

Councillor Hooper returned to the meeting.

21 Unfinished Business

21.1 ESD-007-17 Service Levels and Capital Investment of Flood Emergencies

Resolution #GG-491-17

Moved by Councillor Woo, seconded by Councillor Cooke

That Report ESD-007-17 be received;

That Addendum Report to Report ESD-007-17 be received;

That Council direct staff to implement Sandbag Option #4: Municipal Response, as the Municipality of Clarington's service level to be provided in assisting resident and

business owners with sandbags in the event of a flooding emergency, as outlined in Attachment 1, of Report ESD-007-17;

That the approved Sandbag Option be incorporated into the Clarington Flood Response Plan (CFRP) and that the CFRP be adopted by Council and added as an annex to the current Municipal Emergency Plan;

That Council consider, during the 2018 budget deliberations, \$25,000 for the purchase and maintenance of additional tools, equipment, sand and sand bag supplies; and

That all interested parties listed in Addendum Report to Report ESD-007-17 and any delegations be advised of Council's decision.

Carried

22 Confidential Reports

There were no items considered under this section of the Agenda.

23 Adjournment

Resolution #GG-492-17

Moved by Councillor Cooke, seconded by Councillor Woo

That the meeting adjourn at 2:12 PM.

Carried

Mayor

Deputy Clerk

GANARASKA REGION CONSERVATION AUTHORITY

MINUTES OF THE FULL AUTHORITY

November 30, 2017

FA 07/17

1. Welcome and Call to Order

The Chair called the Full Authority meeting to order at 7:15 p.m.

MEMBERS PRESENT: Forrest Rowden, Chair - Town of Cobourg
Wendy Partner, Vice-Chair - Municipality of Clarington
Raymond Bennis - Township of Alnwick/Haldimand
Mark Lovshin - Township of Hamilton
Brian Darling - Town of Cobourg
Heather Stauble - City of Kawartha Lakes
Louise Ferrie-Blecher - Municipality of Port Hope
Jeff Lees - Municipality of Port Hope
Willie Woo - Municipality of Clarington

ALSO PRESENT: Linda Laliberte, CAO/Secretary-Treasurer
Mark Peacock, Director of Watershed Services
Greg Wells, Manager, Planning & Regulations
Leslie Benson, Interim Director of Watershed Services
Steve McMullen, Forest Recreation Technician

ABSENT WITH REGRETS: John Fallis - Township of Cavan Monaghan

ALSO ABSENT:

The Chair welcomed Leslie Benson to the meeting. Leslie joins the GRCA as the Interim Director of Watershed Services.

2. Disclosure of Pecuniary Interest

None

3. Minutes of Last Meeting

FA 44/17

MOVED BY: Brian Darling
SECONDED BY: Mark Lovshin

THAT the Full Authority approve the minutes of the October 19, 2017 meeting.
CARRIED.

4. Adoption of the Agenda**FA 45/17**

MOVED BY: Ray Bennis
SECONDED BY: Louise Ferrie-Blecher

THAT the Full Authority adopt the agenda.

CARRIED.

5. Delegations

None

6. Presentations

None

7. Business Arising from Minutes

a) 2018 Levy

The CAO/Secretary-Treasurer explained the weighted vote procedure to the Board and answered questions.

FA 46/17

MOVED BY: Mark Lovshin
SECONDED BY: Willie Woo

THAT the Full Authority approve the staff report that includes the 2017 levy in the amount of \$959,403.00

Ray Bennis - Township of Alnwick/Haldimand (0.9444%) Yes
 Brian Darling - Town of Cobourg (11.0296%) Yes
 Louise Ferrie-Blecher - Municipality of Port Hope (8.65965%) Yes
 Jeff Lees - Municipality of Port Hope (8.65965%) Yes
 Mark Lovshin - Township of Hamilton (11.1763%) Yes
 Wendy Partner - Municipality of Clarington (24.11135%) Yes
 Forrest Rowden - Town of Cobourg (11.0296%) Yes
 Heather Stauble - City of Kawartha Lakes (0.0916%) Yes
 Willie Woo - Municipality of Clarington (24.11135%) Yes

The total percentage present to vote was 99.8135%. To carry the motion, 51% total of those present or 50.90% is required and cannot be from a single municipality. The vote was carried at 100%.

CARRIED.

8. Correspondence

None

9. Applications under Ontario Regulation 168/06:

Permits approved by Executive:

FA 47/17

MOVED BY: Jeff Lees
SECONDED BY: Wendy Partner

THAT the Full Authority receive the permits for information.
CARRIED.

Permit Application require Full Authority discussion:

None

10. Committee Reports:

a) Ganaraska Forest Recreation Committee Minutes – November 2, 2017

Members of the Board asked questions regarding the closing of the ski trails during the Christmas season between December 24 and January 1 of each year. Staff explained that very often there is very little snow to groom and therefore, the decision has been made to close the trails and provide holidays to all staff. It was explained that the number of skier in the past does not financially support the staff required to groom trails in this time period. Further, it was noted, there is a health and safety concern with support staff not on site during this time.

FA 48/17

MOVED BY: Heather Stauble
SECONDED BY: Wendy Partner

THAT the Full Authority receive the Ganaraska Forest Recreation User Committee Minutes of November 2, 2017 for information.

CARRIED.

b) Ganaraska Forest Recreation Committee October 2017 Terms of Reference

The Full Authority requested three amendments to the Terms of Reference. In Section 2.0 in regards to the 4-year term, it was suggested that this be amended to allow the participating municipalities to tailor the term for their appointments to the structure of their policies on appointments. As well, that the Municipal Appointments be referred to as Municipal Appointees rather than Municipal Representative as to not be confused with elected council members. Finally, In Section 2.1 it was suggested that the Full Authority Board Member be appointed at the Annual General Meeting.

FA 49/17

MOVED BY: Heather Stauble
SECONDED BY: Brian Darling

THAT the Full Authority approve the October 2017 Terms of Reference as outlined in the staff report with the three amendments as noted above.

CARRIED.

11. New Business:

a) Organizational Review

FA 50/17

MOVED BY: Heather Stauble

SECONDED BY: Willie Woo

THAT the Full Authority approve the Organizational Review staff report.
CARRIED.

12. Other Business

a) 2018 Economic Adjustment

FA 51/17

MOVED BY: Willie Woo

SECONDED BY: Wendy Partner

THAT the Full Authority approve the 2018 Economic Adjustment staff report.
CARRIED.

13. In Camera

None

14. Adjourn

The Full Authority Board Members wished Mark Peacock all the best as he moves on to new adventures and best wishes for the Holiday Season.

The meeting adjourned at 7:55 p.m. on a motion by Mark Lovshin.

CHAIR

CAO/SECRETARY-TREASURER

Gray, Samantha

Subject: FW: Diversity in Clarington

From: jenniferweymark [<mailto:jenniferweymark@sympatico.ca>]

Sent: December-08-17 10:16 AM

To: ClerksDepartment@clarington.net

Cc: Mittag, Erica <emittag@clarington.net>

Subject: Diversity in Clarington

Good morning,

Earlier this year I was fortunate to meet with Mayor Foster and ask him what steps Clarington was taking to recognize the importance of multiculturalism in our community.

Clarington as a community is growing and becoming more diverse. I feel it would be a benefit to our citizens to be proactive and make our community welcoming to all who call it home. At this time, I am requesting that the Municipality of Clarington look at options and opportunities to recognize, celebrate and bring awareness to culture and diversity in our community.

I firmly believe that now is the time.

Sincerely,
Jennifer Weymark

Sent from my Bell Samsung device over Canada's largest network.



DEC 07 2017

Dear Head of Council:

Re: Protecting Water for Future Generations – Public Consultation

The Ministry of Municipal Affairs is undertaking a consultation on a study area for a potential Greenbelt expansion to protect important water resources in the outer ring of the Greater Golden Horseshoe (GGH). The study area is based on locations where water resources are under pressure from current or forecasted urban development.

The purpose of this consultation is to seek input on:

- The province's approach to identifying moraines, coldwater streams and wetlands as important features for protecting water in the outer ring
- The process followed for mapping a study area based on the locations of these features
- Other factors to be considered when mapping a proposed Greenbelt boundary.

The study area is not a proposed boundary. The province is not consulting on a proposed Greenbelt boundary at this time. Input received through this consultation will help inform decisions on how to move from a study area to a proposed Greenbelt boundary. In keeping with the requirements of the Greenbelt Act, 2005, we would consult further on a proposed boundary before any boundary changes are made.

For more information about the consultation, please visit Ontario.ca/greenbelt where you will find:

- A consultation document that describes this proposal in more detail and includes discussion questions related to each of these topics.
- Maps of the study area
- Information about the upcoming public open houses.

My Ministry will hold consultation meetings in the study area to get input from municipalities, conservation authorities, Indigenous communities and organizations, stakeholders and the public. I encourage participation by your municipality and look forward to hearing your feedback. More information will be available in the near future.

Consultation Submissions

We will accept input and feedback about the study area and the parameters for potential Greenbelt expansion until March 7, 2018. Input received through this consultation will help inform decisions on how to move from a study area to a proposed Greenbelt boundary.

Submissions on the consultation document may be made in writing to the Ministry by:

- Filling out our online web form at: **Ontario.ca/greenbelt**
- Emailing us at: protectingwater@ontario.ca
- Responding to the Environmental Registry posting by searching the registry number 013-1661 on the following website: **Ontario.ca/EBR**
- Writing us at:

Protecting Water
Ministry of Municipal Affairs
Provincial Planning Policy Branch
777 Bay Street, 13th Floor
Toronto, ON M5G 2E5

If you have any questions about the consultation or the upcoming public open houses, please contact us by sending an email to protectingwater@ontario.ca or calling 1-877-711-8208.

We appreciate your feedback and look forward to hearing your views and recommendations as the consultation progresses.

Sincerely,



Bill Mauro
Minister

c. Municipal Clerk
Planning Department



Mayor and Council
Municipality of Clarington
40 Temperance Street
Bowmanville, ON L1C 3A6

Dear Mayor and Councilors;

On behalf of the Board of Durham Hospice, we would respectfully request your consideration of a land donation to support the development of a five (5) bed residential hospice in Clarington.

At a symbolic and functional level a hospice is a home, a care facility, a community meeting space, and a workplace. The focus of care is on clients and their families who are living through the most difficult times in their lives – they or a family member have been diagnosed with a serious, life-limiting illness and are dying. The hospice model of care, which is widely accepted in Ontario and around the world, is to provide comfort and support for clients and their loved ones in a setting that is peaceful, welcoming and comfortable. Care and support is offered by specialized professional staff and volunteers trained to provide hospice palliative care. Services are offered free of charge. The Durham Hospice – Clarington project is partially funded by the government and is fundraising in the community to meet initial capital requirements and ongoing operational needs. Securing a parcel of land will allow us to materially advance our capital campaign and solidify the significant interest from the Clarington community in helping us achieve the vision of a hospice in Clarington.

We have had the benefit of outstanding assistance from municipal staff and we would suggest that property owned by the Municipality on Cobble Dick Road would be an ideal setting for a residential hospice. Based on our preliminary design vision for the hospice project and the servicing requirements, we would anticipate requiring a two (2) acre parcel. In addition, we have had discussions with your staff regarding an intriguing and potentially viable option that includes the Jury House parcel located within Camp 30. We would like to have the opportunity to further explore that site as potential option as well.

We understand that the parcels that you are being asked to consider conveying to us will require various land use planning approvals and we are looking forward to working with you

...2/



and municipal staff to collaboratively explore how our project can be expeditiously developed on either the Cobble Dick Road or Jury House properties.

Our Board is passionate about this project, and looking forward to working with City staff to make our vision a reality. We look forward to further discussions and to meeting with you on January 2, 2018.

With deepest gratitude,

A handwritten signature in black ink, appearing to read "Melodie Zarzeczny". The signature is fluid and cursive, with a large initial "M" and "Z".

Melodie Zarzeczny, Board Chair



Engineering Services Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To:	General Government Committee		
Date of Meeting:	January 2, 2018		
Report Number:	EGD-001-18	Resolution:	
File Number:		By-law Number:	
Report Subject:	Clarington Active Transportation and Safe Roads Advisory Committee		

Recommendations:

1. That Report EGD-001-18 be received;
2. That Council endorse the Terms of Reference for the Active Transportation and Safe Roads Advisory Committee;
3. That the Clerk be authorized to commence the recruitment and selection process to establish the Active Transportation and Safe Roads Advisory Committee; and
4. That the Mayor appoint the Council representative for the Active Transportation and Safe Roads Advisory Committee.

Report Overview

The purpose of this report is to present to Council the draft Terms of Reference for the Clarington Active Transportation and Safe Roads Advisory Committee of Council. If approved by Council the recruitment and selection process is expected to begin early in the new year and the Committee would commence operation in 2018.

1. Background

Through various surveys and consultations with the public over the past few years Clarington residents have indicated a need to increase the number of recreational trails and cycling facilities in the municipality. The Strategic Plan for 2015 – 2018 includes as its fourth strategic priority the statement “Enable safe, efficient traffic flow and active transportation”. Previously Council had requested through Strategic Plan item 6.6 that staff investigate the feasibility of establishing a Trails Committee. Additionally section 5.1.3, Active Transportation Policy Alternatives and Recommendations of the Clarington Transportation Master Plan recommends the implementation of an Active Transportation Advisory Committee. Finally this report is consistent with action items presented in Attachment 1 of the CAO’s report, CAO-006-17. While trails are a significant component of an active transportation system they should not be considered in isolation from other active transportation initiatives such as cycling lanes. It is also sensible to consider road safety with the implementation of new active transportation facilities located on roads or connecting to roads. Many Ontario municipalities have established Active Transportation and Safe Roads Committees to address these issues.

The Public Health Agency of Canada defines Active Transportation as any form of human powered transportation – walking, cycling, using a wheelchair, in-line skating or skateboarding. There are many ways to engage in active transportation, whether it is walking to the bus stop, jogging on a trail or cycling to school or work.

There are numerous benefits associated with active transportation:

Health	Active transportation provides an opportunity to be physically active on a regular basis.
Social	Active transportation is accessible and increases social interactions.
Transportation	Active transportation is environmentally friendly and can contribute to reductions in greenhouse gas emissions.
Economic	Active transportation saves money on gas and parking.

2. Proposal

The proposed Active Transportation and Safe Roads Advisory Committee will focus on matters related to active transportation, safe roads for active transportation users and drivers as well as improving the livability of neighbourhoods.

The goal of the Active Transportation and Safe Roads Advisory Committee is to help identify issues, facilitate solutions and strategies, encourage, promote and participate in the planning of active transportation and safe roads policies, programs, and facilities as well as identify concerns related to on-street parking, speeding and safety for drivers and active transportation users. The Terms of Reference for the Committee is provided as Attachment 1. It is anticipated that the Active Transportation and Safe Roads Advisory Committee would also assist in the development of a public engagement strategy to better inform residents of new initiatives and promote ways that residents themselves can contribute to a safer well connected environment.

Engineering Services will be the lead department as most of the issues will relate to the responsibilities of Engineering Services Department. Staff representatives from Engineering, Operations and Planning shall serve as staff liaisons to the Active Transportation and Safe Roads Advisory Committee. Staff from other departments may attend meetings to provide expertise as required.

Stakeholders would be invited to participate with the Committee on an as needed basis to provide advice or discuss specific issues. Stakeholders could include the Region of Durham, Conservation Authorities, Ministry of Transportation, School Boards, Durham Regional Police Services, the Accessibility Advisory Committee and neighbouring municipalities.

The Active Transportation and Safe Roads Advisory Committee would meet quarterly but sub-committees may also be formed. Sub-committees may meet more frequently as agreed upon by the sub-committee members. The Clerk would coordinate and supervise the recruitment process. Considering that the initial formation of the Committee will occur in 2018 and only two or three meetings might be held in advance of the 2018 municipal election, it is recommended that the initial term of the Committee extend until the end of 2020. Subsequent appointments to the Committee will run concurrent with the term of Council.

3. Financial Implications

The Committee is expected to require a small budget for educational and promotional materials. Engineering Services has included \$2,500 for Council's consideration in the 2018 Operating Budget. Once the Committee is established it would be necessary to review the annual operating budget to support the Committee activities. Major studies and projects proposed by the Committee would be identified in future Engineering Services Department budgets.

4. Concurrence

This report has been reviewed by the Director of Planning Services, the Director of Operations and the Municipal Clerk who all concur with the recommendations.


5. Conclusion

It is respectfully recommended that Council approve the Terms of Reference for the Active Transportation and Safe Roads Advisory Committee and that the Municipal Clerk proceed with the recruitment process. It is expected that the Committee would commence in early 2018.

6. Strategic Plan Application

The recommendations contained in this report conform to Item 4 of the 2015 - 2018 Strategic Plan initiatives to "Enable safe, efficient traffic flow and active transportation", Item 5 "Promotes residents' engagement in our community", and Item 6.6 "Investigate putting in place a Trails Council or similar body as a means of community engagement on promotion, location and maintenance of trails".

Submitted by: 
Anthony Cannella,
Director of Engineering Services

Reviewed by: 
Andrew C. Allison, B. Comm, LL.B
CAO

Staff Contact: Peter Windolf, Manager, Park Development, 905-623-3379, Ext. 2307 or
pwindolf@clarington.net

ASC/pw/jb

Interested Parties

Jim Boate - Clarington Cycling Club

Attachments

Attachment 1 – Draft Terms of Reference for Committee

Clarington Active Transportation and Safe Roads Advisory Committee Terms of Reference

A. Background

Through various surveys and consultations with the public, Clarington residents have indicated a need to increase the number of recreational trails and cycling facilities in the municipality. The Strategic Plan for 2015 – 2018 includes as its fourth strategic priority the statement “Enable safe, efficient traffic flow and active transportation”. An advisory committee comprised of Clarington residents, staff and a Council liaison will provide advice on Active Transportation and Safe Roads issues.

B. Mandate of Committee

The Clarington Active Transportation and Safe Roads Advisory Committee (“the committee”) will advise Council on matters related to active transportation, trails, cycling networks, pedestrian connectivity and transportation safety. The committee will also provide input into the implementation of *The Clarington Transportation Master Plan* and encourage, promote and participate in the planning of active transportation policies, programs and facilities.

C. Scope of Activities of Committee

1. Serve as a liaison between the community and the Municipality on matters pertaining to active transportation and safe roads;
2. Provide input into the implementation of active transportation components of the Transportation Master Plan and to take action to influence the progress, as necessary;
3. Advise staff in the development of transportation plans, policies, and programs to promote and encourage safety for all road and trail users;
4. Advise on the development, delivery and maintenance of active transportation policies, programs and facilities;
5. Educate residents and businesses regarding the environmental, social, economic and health benefits of active transportation;
6. Encourage citizens to use forms of active transportation through public outreach, education programs and events (e.g. monthly walks, etc.);
7. Educate the public on the benefits, necessities and safety aspects of active transportation and Safe Roads;
8. Support active transportation as an economic driver;

9. Collaborate with adjacent municipalities and the Region of Durham to support and coordinate active transportation initiatives;
10. Promote and enhance continuous and integrated cycling and leisure trails (i.e. trails, sidewalks, bicycle lanes) within Clarington and with its neighbouring municipalities;
11. Encourage legislation and policy changes that support and strengthen active transportation;
12. Provide an increased understanding of active transportation and Safe Roads issues and concerns within Clarington;
13. Advise on new or improved transportation initiatives for all road users including pedestrians and cyclists; and
14. Assist in monitoring the effectiveness of all transportation and safety initiatives.

D. Membership and Representation

The committee shall be comprised of up to 10 voting members who must be Clarington residents, and one (1) voting member of Council. Appointments will run concurrent with the term of Council or until their successors are appointed. Appointments may be revoked at any time at the discretion of Council. The citizen appointments should represent a broad diversity of the community including, cyclists, hikers, runners, seniors, etc.

Given the complexity of the potential concerns and solutions, stakeholder groups could attend meetings as needed to provide expertise related to a specific topic, or provide additional information regarding a topic of discussion.

E. Staff Resources

Engineering Services shall provide clerical, administrative and technical assistance to the Committee, as deemed appropriate by the Department Head, to ensure the proper functioning of the Committee. Specifically, Staff will provide the following resources to the Committee:

- preparing and forwarding meeting materials to members;
- preparation of summary meeting minutes and Committee correspondence (including assistance in drafting);
- professional advice on matters within the mandate of the Committee; and
- assist the Committee in participating in events and activities related to its mandate.

Generally, Committee members are selected to be able to carry out the mandate of the Committee. Staff resources are provided only to assist the Committee in undertaking its mandate. Additional requests of resource staff, such as original research or organization of events shall be at the discretion of the Director of Engineering Services and within staff, time and budget constraints.

Engineering Services will be the lead department as most of the issues will relate to the responsibilities of Engineering Services. Representatives from the Engineering Services Department, Operations Department, and Planning Services Department shall serve as staff liaisons to the Active Transportation and Safe Roads Advisory Committee. Staff from other departments and/or members of agencies that are not on the committee may attend meetings to provide expertise, as required.

The committee may form sub-committees as necessary to investigate or report on specific issues and then report back to the Active Transportation and Safe Roads Advisory Committee. The members of the sub-committees would schedule their meeting(s) as needed, at a time and location that is convenient for all members.

F. Committee Chair and Vice Chair

The Chair shall be elected by a majority of committee members for a two-year term at the first meeting of every second calendar year. The Chair's role is to provide guidance and leadership to the committee in the completion of its mandate and conduct of meetings. The Chair shall set the agenda for each meeting in consultation with the staff liaison.

The Vice-Chair shall be elected by a majority of committee members for a two-year term at the first meeting of every second calendar year. The Vice-Chair acts in the Chair's absence and assumes the role and responsibilities of the Chair. If the position of Chair becomes vacant, the Vice-Chair shall assume the responsibilities of the Chair until a new Chair can be elected. If the position of Vice-chair becomes vacant, the Chair may appoint a member of the committee as Interim Vice-chair until a new Vice-chair can be elected. Elections, when required, shall be held at the next meeting of the Committee.

If the Chair and Vice Chair is not present, members will select an acting Chair to serve in the same capacity for the duration of the meeting.

Members of Council and municipal staff sitting on the committee shall not be eligible to serve as Chair or Vice Chair.

G. Councillors

A member of Council shall be appointed to the Active Transportation and Safe Roads Advisory Committee to fulfill the responsibility of acting as the liaison between Council and the Committee; respond to Committee members' questions; interpret Council's direction to the Committee; and to provide updates on Council activities to the Committee.

H. Responsibilities and Obligations of Members

All Committee members shall abide by the Terms of Reference for the committee as approved by Council. The Active Transportation and Safe Roads Advisory Committee members shall contribute time, knowledge skill and expertise to the fulfillment of the Committee's mandate; research issues relevant to their Committee's mandate as required; work with staff to implement Council's decisions relevant to the Committee's mandate and commit to attending regular meetings during the year.

The Chair or a spokesperson appointed by the Committee may speak on behalf of the Committee to Council or the public. Other members shall not act or speak on behalf of the Committee without prior approval of the Committee.

The Committee or its members shall not issue petitions, resolutions or position papers on behalf of the Committee, unless specifically authorized by Council resolution.

The Committee and its members shall also not act outside of the mandate and advisory capacity of the Committee. Should the Committee wish to comment on an issue that is within the mandate of another Council committee, the Chair shall consult with the responsible liaisons and the Chair of the other committee.

The Chair may eject any Committee member from a meeting if, in the opinion of the Chair, that person is being disruptive or disrespectful. The Committee shall also have the right to censure members that, in the Committee's opinion, are misrepresenting the Committee and may request Council to remove that person from the Committee.

Members unable to attend a Committee meeting shall notify the staff liaison at least 24 hours in advance. Members unable to attend a meeting cannot send an alternate. The Chair shall advise the Municipal Clerk in writing of any member who is absent from the meeting for three successive months without being authorized to do so by a resolution of the Committee, and may request that the member be removed from the Committee.

Members who wish to resign shall notify the Chair in writing of their decision who, in turn shall notify the Municipal Clerk in writing of the resignation. Council shall appoint new members to the Committee to fill any vacancies as required.

I. Decision Making and Voting

Where possible, decisions will be made by way of consensus. When a vote is necessary, a motion must be moved and seconded prior to voting. A resolution is deemed to be carried if the majority of members present vote in the affirmative. Recorded votes shall not be permitted. The committee shall not reconsider a previous motion, unless directed by Council.

J. Quorum

Quorum shall be a simple majority of the total number of committee members (i.e. 50% plus one). In the event that a quorum is not achieved, the meeting may proceed but members shall not vote or make decisions.

Recommendations and decisions reach by the committee shall be based on consensus, wherever possible. In the event that a consensus cannot be reached and there are divergent opinions on an issue, the Chair may call for a formal vote by a show of hands. Decisions shall be carried by a simple majority of the voting members present. Each member of the Committee has a vote.

K. Conflict of Interest

Members of the Committee must abide by the Municipal Conflict of Interest Act.

L. Public Participation

All Committee meetings are open to the public. Members of the public are not permitted to participate in Committee discussions, but may appear as a delegation before the Committee. Delegations shall be for a maximum of 10 minutes. Those wishing to appear as a delegation at a Committee meeting must so advise the staff liaison a minimum of five working days before the meeting.

The Chair may eject any member of the public from a meeting if, in the opinion of the Chair, that person is being disruptive or disrespectful.

M. Reporting and Communications

The Committee is to serve as an advisory body to Council. The committee does not have any delegated authority. Recommendations requiring implementation, expenditures, reports or staff actions must be first considered by staff and/or Council.

Reports regarding matters related to the mandate of the committee will be made to the General Government Committee.

The draft minutes of all Committee meetings shall be reviewed by the staff liaison and forwarded by memorandum to the Municipal Clerk for inclusion on the next Council Agenda and, at the discretion of the Department Head may be posted on the Municipal website.

The minutes of Committee meetings shall generally not attribute comments to a specific member of the Committee.

N. Meetings

The Active Transportation and Safe Roads Advisory Committee shall establish the regular meeting time and location at the first meeting of each term. It is expected that the Active Transportation and Safe Roads Advisory Committee will meet quarterly. Sub-committees may be formed with meetings scheduled as necessary.

O. Budget

The Engineering Services Department shall be responsible for the Active Transportation and Safe Roads Advisory Committee budget and will present a draft budget for review by the committee on an annual basis, prior to submission to Council for approval.

The citizen members of the Active Transportation and Safe Roads Advisory Committee are strictly voluntary and remuneration would not be provided.

P. Term of Committee

The term of the Committee shall coincide with the term of Council or as otherwise indicated in the specific Terms of Reference for the Committee. In general, a Committee shall not meet between the time of the municipal Council elections and the appointment of a new Committee by Council, unless considered necessary by the relevant liaison.

Operations Department Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee

Date of Meeting: January 2, 2018

Report Number: OPD-001-2018 **Resolution:**

File Number: **By-law Number:**

Report Subject: Plowing of Secondary Roads

Recommendations:

1. That Report OPD-001-2018 be received; and
2. That Council direct staff to continue investigating options for road snow plowing operations that may include the future use of private contractors to improve service levels, create efficiencies and reduce overall operating costs.

Report Overview

This report provides Council with background information on Clarington's current level of service for winter control road snow plowing operations. Discussion addresses the request by Council to investigate the use of private contractors to supplement staff resources for the plowing of secondary roads.

1. Background

- 1.1 The Municipality of Clarington experienced five back to back winter events between February 5, 2017 and February 14, 2017. Over this 10-day stretch weather patterns included heavy accretions of freezing rain, periods of mixed precipitation and also a single event accumulation of up to 20 centimeters of snow. In addition to the provision of winter control services, Operations Staff were also required to support three cemetery casket internments.
- 1.2 As a result of the unusual and extended winter weather pattern, staff resources in the Operations Department became severely depleted resulting in mandatory employee rest periods and a number of secondary roads not being plowed within the 24-hour time limit as prescribed under the Provincial Minimum Maintenance Standards (MMS).
- 1.3 In response to this occurrence, Council passed resolution GG-172-2017, at its regularly scheduled meeting held on March 27, 2017. The resolution specifically directed staff to:
 1. Investigate the cost of using private contractors to plow secondary roads to supplement staff resources where roads would otherwise remain unplowed for 24 hours; and
 2. To consider any resulting savings in overtime.

2. Proposal

- 2.1 The Operations Department carries the responsibility of providing a safe, efficient and cost-effective road snow plowing service for the municipality. In order to discern how all available resources are utilized during the winter season it is important to understand the effects of the following matters:

- Legislative Framework
- Risk Management
- Existing Levels of Service
- Impacts of Growth

Legislative Framework

- 2.2 Ontario Regulation 239/02 prescribes the Minimum Maintenance Standards for Municipal Highways (MMS). Specific to the standards are the established levels of roadway maintenance that are based on the classification of each public highway. Road classifications are determined through the combination of average annual daily traffic volumes (AADT) and the posted or statutory speed limit on each individual road segment.
- 2.3 As an example of this relationship, King Street East between Regional Road 57 and Liberty Street through downtown Bowmanville has a current AADT of more than 16,000 vehicles per day and a posted speed limit of 50 km/h. Accordingly, King Street East would have a Class 2 road designation. Most secondary roads would be a Class 5 or 6 street.
- 2.4 The minimum Maintenance Standards dictate a number of different inspection and maintenance requirements. In accordance with the class of road, these requirements include the frequency for which routine road patrols must be completed, the severity of defects that are allowed and also the time that is permitted to repair any problems that are found. The Minimum Maintenance Standards also establish the levels of service required for road snow plowing operations that are displayed on Table 2 below.

Table 2

MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS					
(WINTER CONTROL)					
	Class 1	Class 2	Class 3	Class 4	Class 5
Icy Roadways	Time: 3 hrs	Time: 4 hrs	Time: 8 hrs	Time: 12 hrs	Time: 16 hrs
Snow Accumulation	Depth: 2.5 cm	Depth: 5 cm	Depth: 8 cm	Depth: 8 cm	Depth: 10 cm
	Time: 4 hrs	Time: 6 hrs	Time: 12 hrs	Time: 16 hrs	Time: 24 hrs

- 2.5 The winter control standards in Table 2 provide motorists with a general expectation that snow clearing levels will be consistent on similar classes of roadways. These standards also allow municipalities a much stronger defence in the event that a claim occurs from a roadway accident. This defence, however, will only apply if the municipality has adhered to the standards.
- 2.6 Clarington’s Operations Department is currently responsible for providing winter maintenance on approximately 909 single lane kilometers of roadway. Individual road classifications for this length of roadway are broken down within the municipality as follows;

Road Class 2 – 2.15 kilometers
Road Class 3 – 92.78 kilometers
Road Class 4 – 307.78 kilometers
Road Class 5 – 366.14 kilometers
Road Class 6 – 139.90 kilometers

The road hierarchy that is created forms the basis for Clarington's response protocol regarding which roads receive winter maintenance first.

- 2.7 Once it has been determined by weather monitoring that a substantial probability exists for snow accumulation on roadways, ice formation on roadways, or that icy roadways may exist municipalities must commence road patrols on a route that is representative of all of municipal highways under their jurisdiction. As soon as the snow or ice conditions on the roadway meet the limits as outlined within the MMS municipalities must immediately deploy resources to address the conditions. After a weather system has ended a municipality must further address each roadway such that the surface conditions are less than the limits allowed and within the amount of time that is permitted in the MMS. If at any time during a storm event the conditions are less than or equal to the limits in the MMS the roadway is considered to be in a state of repair. For those occasions when storm conditions extend over a lengthy period of time the deployment of service shall be repeated each time the MMS limits are met.
- 2.8 At no time should the delivery of service by a municipality ever fall below the requirements of the Minimum Maintenance Standards. Municipalities must, therefore, consistently ensure that appropriate levels of staff and equipment are available to properly respond to each winter storm event. This delicate balance between managing operating costs and providing required levels of service can be a very difficult challenge particularly during those times of back to back winter events when staff are typically engaged with working 40 hours of regular time and additional overtime.

Highway Traffic Act

- 2.9 Ontario's Highway Traffic Act prescribes the regulations and/or limitations under which the operator or driver of a commercial vehicle can legally work. On January 1, 2007, these regulations were significantly changed resulting in a number of major impacts relating to the length of time that Municipal staff can be actively engaged in the provision of winter control services.
- 2.10 Of the more significant changes, the legislation specifically set out the following limitations for commercial motor vehicle drivers:
- A maximum of 70 hours of driving during a 7 day cycle;
 - A maximum daily driving time of 13 hours; 14 hours of on-duty time; and 16 hours of elapsed shift time;
 - A minimum of 10 hours of off-duty time following each shift;
 - 36 hours of continuous off-duty time to reset a 7 day work schedule;
 - 24 consecutive hours of off-duty time during any 14 day period.

2.11 This legislation has a major impact on the ability of the Operations Department to properly respond to road snow plowing requirements during extended periods of inclement weather. In addition, the requirement to formally track the available hours that each employee can legally work beyond their normally scheduled shifts can be a very difficult process to manage. Regardless of the type of work that is completed by Operations staff all hours are recorded as driving time.

Risk Management

2.12 On a more frequent basis municipalities are becoming challenged to prove that required levels of winter control service have been provided. As a result, substantial effort is given to the documentation of internal protocols for legal defence purposes. These records include the capture of road patrol records, inspection and maintenance logs for roads, sidewalks and parking lots, weather reports, vehicle inspection and out-of-service lists, lead hand and supervisor response journals, employee call-in and work assignment records, vehicle global positioning system (GPS), individual storm event reports, etc. As a means to provide a more pro-active, efficient and cost-effective approach to winter control services, Clarington's Operations Department has implemented the following staff response programs:

2.13 Road Patrol

Based on the requirements of the Minimum Maintenance Standards, the Operations Department has assigned a total of four staff to monitor weather reports and continuously evaluate roadway surface conditions along a prescribed route through the municipality. These staff are scheduled to work shifts that occur during all non-regular working hours, seven days a week, between the months of October to April. Road patrol staff are required to complete detailed records that document road surface conditions during each of their individual patrols. As necessary, patrol staff coordinate minor responses to weather conditions or as necessary refer larger events to lead hands who coordinate responses using additional staff. Patrol staff also initiate the commencement of work by contractors that provide winter maintenance service on sidewalks abutting municipal properties, corporate parking lots and the senior's snow removal program.

2.14 Night Operators

Two Operations Department staff are assigned night shifts during the months of December to April. These staff have the primary responsibility of ensuring that road surface conditions remain suitable on the higher classes of road in the municipality. Amongst other duties, the night operators also respond to unsatisfactory road surface conditions in locations that are referred to them by the road patrollers. Since the night operators work shifts they are readily available to individually respond to minor winter situations thereby avoiding the need to bring in additional staff on overtime.

2.15 On-Call Lead Hands

Six Roads and Parks Lead Hand employees are scheduled into an after-hours rotation during the winter months. The primary function of these employees is to maintain the accuracy of the employee call-in board and to coordinate a response to major winter events. As necessary, the lead hands also provide leadership and direction to the road patrollers and night operators regarding winter control related matters.

2.16 On-Call Supervisors

Four Roads and Parks Supervisors are scheduled into an after-hours rotation during the winter months. The Supervisors are responsible for updating the hours of work data, ensuring the accuracy of all winter documentation, checking weather reports, compiling winter storm updates and for communicating maintenance requirements to the lead hands, road patrollers and night operators.

2.17 On-Call Staff

The remaining 32 Roads and Parks staff are placed on an after-hours winter call-in list. These staff which consist of Heavy Equipment Operators, Light Equipment Operators and Labourers are called-in based on the type of response required and also according to their position in rotation. It should be noted that mandatory responses to winter events are currently not required by these employees. Under winter storm response requirements, however, the rates of response are satisfactory to meet the minimum requirements of the MMS.

In addition, four Fleet mechanics are also placed on an after-hours call-in rotation.

Existing Level of Service

2.18 The Operations Department is currently responsible for providing snow plowing service on approximately 909 kilometers of arterial, collector and secondary roadways. This network of roads is broken down into 29 distinct plowing routes that operate out of the three Operations depots being Hampton, Orono and 42. Route lengths presently range up to a maximum of 56.2 kilometers depending on the road class, road design and the type and size of equipment that is being used. At present, a total of 36 pieces of equipment is assigned for a full call-out event consisting of 2 graders, 13 tandem-axle combination dump trucks, 11 single-axle combination dump trucks, 4 one-tonne utility trucks equipped with salters and plows and 3 loaders.

2.19 Impacts of Growth

Residential growth in the municipality continues to progress at a very rapid rate. Estimates confirm that on average a minimum of 12 kilometers of new roadway has been added in each of the past five years. It is anticipated that development will continue to advance at a similar pace in the municipality with at least a dozen subdivision agreements currently being considered for construction over the next two to three years.

Although these subdivisions will be of varying sizes the additional length of new road is expected to continue averaging approximately 12 kilometers a year for an additional 60 kilometers by the year 2022.

- 2.20 Based on the configuration of our existing snow plow routes a new piece of equipment and operator should be added to the fleet as every 25 kilometers of additional roadway is built. Although snow plow route lengths can vary significantly the type and style of development now being constructed with reduced right-of-way's, increased densities and the presence of more on-street parking the efficiency of snow plowing is impacted by slower driving speeds and more reversing movements. For newer urban areas a route length of 25 kilometers is considered standard and remains consistent with the average for newer urban snow plow routes in other Durham Region municipalities.
- 2.21 The Development Charges that are received from the construction of the new subdivisions provide Clarington with the necessary funding to purchase additional equipment that is necessary to keep pace with the rate of new roads being built. In accordance with the Development Charges Background Study for 2015-2020, the Municipality took possession of an additional combination snow plow truck in 2016 and another two additional trucks are included in the 2018 draft budget.
- 2.22 It is imperative that as the new heavy vehicles arrive, qualified staff shall also be employed to operate them. With 24 kilometers of additional road being added to the inventory between 2016 and 2017, a new qualified operator is presently required while a second operator will be necessary prior to 2019. The Operations Department last hired an additional qualified snow plow operator in 2013.

3. Service Delivery Review

- 3.1 The February 14, 2017 occurrence of secondary roads not being plowed within the 24-hour time limit remains of great concern to the Operations Department. As outlined in this report not only is there a maintenance obligation under the MMS but there's also a service level expectation by Clarington's residents that needs to be upheld.
- 3.2 Under typical winter weather conditions all roadways within the municipality, including all secondary roads, are normally plowed well before the time limits expire. On the very rare occasion, however, weather extremes may limit the ability of the municipality to properly respond with the resources that are available.
- 3.3 As a means to estimate the cost of contracting out snow plowing work, the area municipalities in Durham Region were contacted to obtain details on their specific programs. A broader scope of municipalities that extended beyond Durham Region was not included in this initial review as their levels of service, administration and market conditions for contracted services would be somewhat different and therefore cannot be equitably compared. The Region of Durham was also not included in this review as their level of responsibility is focused on higher class roadways that require faster response times and more frequent service.

- 3.4 Of the lower tier municipalities, the Town of Ajax, Town of Whitby, City of Oshawa and the Township of Scugog presently utilize contracted snow plowing service. These municipalities contract out between 1 and 25 of their existing snow plow routes that average approximately 26 kilometers in length for the urban areas. The contracts also require different levels of services. For example, the Town of Ajax only uses the contractor to salt and plow during major snow events whereas the Town of Whitby requires the contractor to respond to every snow event.
- 3.5 Based on the 2016 budget information provided by these municipalities, it has been determined that the average annual cost per contracted route is approximately \$44,500 which consists of equipment standby and on-call snow plowing rates. The fees incurred for standby are a minimum contract requirement to ensure that adequate equipment and operators are available when needed by the Municipality. The comparative cost for a full-time Clarington municipal employee to similarly respond during each winter season would be approximately \$34,000. This cost includes employee base salary, benefits, average overtime and all fleet related expenses.
- 3.6 The outsourcing of contracted snow plowing service may also result in a higher rate of customer complaints. The survey group of municipalities suggested that new contractors will be unfamiliar with Municipal policies and procedures, may employ staff with limited experience and on occasion may also not meet the MMS requirements.
- 3.7 In an effort to reduce overall operating costs, consideration is currently being given to contracting out cemetery operations during the winter season. It is estimated that this change will supplement the availability of staff resources and reduce overtime requirements by an average of 179 hours. Other changes in the delivery of service may also include the future assignment of winter night shifts to new full-time employees thereby further reducing the requirement for on-call staff to be brought in on overtime.

4. Concurrence

- 4.1 This report was reviewed by the Director of Finance/Treasurer.

5. Conclusion

- 5.1 The day-to-day management of the winter road plowing functions as described within this report is provided at a very high level. Each part of the system is integral to the provision of a responsible and effective service that meets our legal obligations and also the needs and requirements of Clarington's customers.
- 5.2 After reviewing the available options, staff are of the opinion that the employment of two additional full-time light equipment operators in 2018 to keep pace with growth rates is the preferred method by which to ensure a more proactive and timely approach to providing snow plowing service on secondary roads in the municipality. While the annual cost for each full-time employee would be approximately \$74,000 (base salary plus benefits) in accordance with Clarington's 2017 wage rates, it is important not to overlook

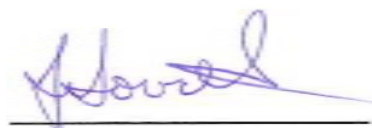
the additional tasks and services that these staff will also provide during the remainder of the year.

- 5.3 The 2 full-time Light Equipment Operators that have been recommended in this report are presently included as new staff requests in the 2018 draft budget.

6. Strategic Plan Application

- 6.1 Recommendations in this report support Strategic Plan initiatives for the promotion of good governance and value for the tax dollar and also resident engagement in our community.

Submitted by:



Frederick J. Horvath
Director of Operations

Reviewed by:



Andrew C. Allison, B. Comm, LL.B
CAO

Staff Contact: Stephen Brake, Manager of Operations, 905-263-2291 or
sbrake@clarington.net

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee

Date of Meeting: January 2, 2018

Report Number: CLD-001-18 **Resolution:**

File Number: **By-law Number:**

Report Subject: **Appointment to the Newcastle Arena Board**

Recommendations:

1. That Report CLD-001-18 be received;
2. That Todd Taylor be appointed to the Newcastle Arena Board for a term ending December 31, 2018 or until a successor is appointed; and
3. That all interested parties listed in Report CLD-001-18 and any delegations be advised of Council's decision by the Department.

Report Overview

This report is intended to provide background information, regarding a vacancy on the Newcastle Arena Board.

1. Background

1.1 Newcastle Arena Board

The Newcastle Arena Board is a volunteer Municipal Service Board established by the Municipality of Clarington Council in accordance with the provisions of the *Municipal Act, 2001, as amended*.

The goal of the Newcastle Arena Board is to operate the Newcastle Memorial Arena. The composition of the Board is as follows:

9 persons, 2 of whom shall be members of Council

Committee members are ultimately responsible to the Municipality of Clarington Council and are bound by By-law 2008-037, appointing the Newcastle Arena Board.

2. Newcastle Arena Board Vacancy

Jay Summers was appointed to Newcastle Arena Board in March, 2015 for a term ending in December 31, 2018 or until a successor is appointed. On November 16, 2017 the Municipal Clerk's Department received notification of his resignation. Following Council's appointments in March 2015, all unsuccessful candidates were advised that their applications would remain on file for consideration should a vacancy occur.

Accordingly, the Municipal Clerk's Department contacted previous applicants to determine whether they wish to put forward their name for consideration. The following individuals have put forward an application for consideration:

- Todd Taylor

Applications have been circulated under separate cover (Attachment 1) as they contain personal information.

3. Concurrence

Not Applicable


4. Conclusion

In order to fulfill the requirements of the Board, it is recommended that Todd Taylor be appointed to the Newcastle Arena Board for a term ending December 31, 2018 or until a successor is appointed:

5. Strategic Plan Application

Not applicable.

Submitted by:


C. Anne Greentree, B.A., CMO,
Municipal Clerk

Reviewed by:


Andrew C. Allison, B. Comm, LL.B
CAO

Staff Contact: Samantha Gray, Committee Coordinator, 905-623-3379 ext.2106 or
sgray@clarington.net

The following is a list of the interested parties to be notified of Council's decision:

Todd Taylor

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee

Date of Meeting: January 2, 2018

Report Number: CLD-002-18 **Resolution:**

File Number: **By-law Number:**

Report Subject: **Appointments to the Clarington Museums and Archives Board**

Recommendations:

1. That Report CLD-002-18 be received;
2. That the vote be conducted to appoint two citizen representatives for a term ending December 31, 2018 or until a successor is appointed, to the Clarington Museums and Archives Board for the Municipality of Clarington, in accordance with the Appointments to Boards and Committees Policy; and
3. That all interested parties listed in Report CLD-002-18 and any delegations be advised of Council's decision.

Report Overview

This report is intended to provide background information, regarding vacancies on the Clarington Museums and Archives Board.

1. Background

The Clarington Museums and Archives Board (CMAB) is a volunteer Municipal Service board established in 2001 by the Municipality of Clarington Council to manage the Clarington museums and archives. Board members are ultimately responsible to the Municipality of Clarington Council and are bound by By-law 2016-081, which states that the composition shall consist of seven voting members comprised of, as reasonably as possible:

- 5 Public Representatives at large; and
- 2 appointed members of Council.

2. Clarington Museums and Archives Board – Vacancies

Due to recent changes on the Board and a resignation, there are two vacancies which should be filled. In response to the ad, several individuals have submitted their application and it is recommended that they be considered appointed to the Clarington Museums and Archives Board until December 31, 2018.

At the time of writing of this Report, the following applicants wish to be considered for appointment to the Clarington Museums and Archives Board:

- Tracey Ali
- Holly Raj
- Roddy Serigiades*
- Sarah Bobak

*Please note that Mr. Roddy Serigiades does not meet the qualifications as a resident of Clarington, however, the application has been provided for your information.

The applications have been circulated under separate cover (Attachment 1) as it contains personal information.

3. Concurrence

Not Applicable

4. Conclusion

In order to fulfill the requirements of the Terms of Reference of the Clarington Museums and Archives Board, it is recommended that two of the following be appointed to the Clarington Museums and Archives Board, for a term ending December 31, 2018:

- Tracey Ali
- Holly Raj
- Roddy Serigiades
- Sarah Bobak

5. Strategic Plan Application

Not applicable.

Submitted by:



C. Anne Greentree, B.A., CMO,
Municipal Clerk

Reviewed by:



Andrew C. Allison, B. Comm, LL.B
CAO

Staff Contact: Samantha Gray, Committee Coordinator, 905-623-3376 ext.2106 or
sgray@clarington.net

Attachments:

Attachment 1 - Museum and Archives Board Composition Matrix (Distributed Separately)

Attachment 2 - Confidential Applications (Distributed Separately)

The following is a list of the interested parties to be notified of Council's decision:

Tracey Ali
Holly Raj
Roddy Serigiades
Sarah Bobak
Katharine Warren, Interim Executive Director

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee

Date of Meeting: January 2, 2018

Report Number: CLD-003-18 **Resolution:**

File Number: **By-law Number:**

Report Subject: **Bill 68 - Summary of Impact and Proclamation Dates**

Recommendation:

1. That Report CLD-003-18 be received; and
2. That the draft by-law, Attachment 1 to Report CLD-003-18, be enacted.

Option – to consider Electronic Participation in Meetings

3. That staff be directed to report back on implementation requirements, process and any associated costs for electronic participation in Council, Committee and Local Board meetings.

Report Overview

Bill 68 Modernizing Ontario's Municipal Legislation Act, received Royal Assent on May 30, 2017, and is now law in Ontario. This Bill makes several changes to various provincial acts governing municipalities. This Report provides a brief summary of the changes and the respective dates on which the changes come into force.

1. Background

Bill 68, a bill entitled "Modernizing Ontario's Municipal Legislation Act, 2017", received Royal Assent on May 30, 2017. A phased approach to the proclamation of Bill 68 has been confirmed, which would bring some of the legislative amendments into force on January 1, 2018, while other amendments will not come into force until March 1, 2019.

The changes made through Bill 68 that will come into force on January 1, 2018, include provisions respecting small business programs, open meetings, and other provisions.

The second proclamation date is March 1, 2019, and will bring into force changes to municipal accountability and transparency framework that include provisions respecting codes of conduct, integrity commissioner, conflict of interest, mandatory policies and other provisions.

2. Discussion

2.1 Changes to be implemented effective January 1, 2018

2.1.1 Definition of a Meeting

The definition of "meeting" in subsection 238(1) of the *Municipal Act, 2001* (the "Act") will be repealed and the following substituted:

"meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where (a) a quorum of members is present, and (b) members discuss or otherwise deal with any matter in a way that materially advances the business of a decision-making of the council, local board or committee.

The purpose of this revised definition is to clarify the ambiguity of what constitutes a meeting, and thereby clarify the scope of applicability of a municipal procedure by-law. It is recommended that the definition of "meeting" currently included in the Clarington Procedural By-law 2015-029 be deleted and replaced with the new definition contained in the Act. Attachment 1 to this report, being the recommended amending by-law, includes this proposed amendment.

2.1.2 In-camera / Closed Meeting Exceptions

Bill 68 provides for further exemptions to the rule that Council, Committee and Local Boards must meet in open session. According to the AMCTO Meetings Backgrounder of September 2017, these additional exemptions were included in response to municipal stakeholder feedback to meet the current needs including the need to deal with the current level of complexity of municipal business and the need for a clear legal basis for conducting a closed meeting. As well, these new exceptions provide for greater consistency between the provisions of the *Municipal Act, 2001* and the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*. Prior to these Bill 68 changes, there was some uncertainty as to whether information that is subject to the privacy provisions of MFIPPA was susceptible to disclosure at Council meetings.

The new provisions will provide Council with some degree of added flexibility and greater clarity with respect to Council's discretion to conduct a closed meeting. Under the amendments the manner of moving into closed session and process of rising and reporting following a closed session will remain unchanged, as does the presumption that meetings will be open to the public unless otherwise stated.

The new exceptions to section 239 of the Act, the open meeting requirement, in addition to the seven that are currently contained in the Act, are as follows:

Exceptions

(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

...

(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Section 4.7.1 of Clarington's Procedural By-law 2015-029 refers to sub-section 239(2) of the Act but does not specifically list the exceptions to the open meeting requirement. The Procedural By-law as currently written can therefore accommodate these changes to the Provincial legislation.

2.1.3 Electronic Participation at Meetings

Bill 68 expressly permits Council/Local Board to provide, in the Procedural By-law, that a member of Council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public. The member will not be counted in determining whether or not a quorum of members is present at any point in time and members may not participate electronically in closed meetings.

Clarington's current Procedural By-law does not provide for electronic participation.

Should Council wish to consider amending the Procedural By-law to provide for electronic participation, it is recommended that direction be given to Staff to report back with recommendations for implementation measures and any other pertinent information that would assist Council to make a decision.

2.1.4 Reporting Back on Closed-Meeting Investigations

Under the new requirements of Bill 68, following a closed meeting investigation by the Municipality's Closed Meeting Investigator, if Council (or a local board as the case may be) receives a report from the Closed Meeting Investigator, Council must pass a resolution stating how it intends to address the report. For example, if the report of the Closed Meeting Investigator identified deficiencies in process, Council may consider passing a resolution that describes how they would overcome the deficiencies.

In response to this new legislative requirement, the Municipality's administrative procedure, which details the process for processing Closed Meeting Compliance Investigations, will be amended to expressly state the obligation of Council to pass a resolution stating how it intends to address the findings in a report from the Closed Meeting Investigator.

2.1.5 Appointment of Alternate Member to Upper Tier Council

There is existing authority in Section 267 of the Act for Council to appoint an alternate to substitute for a Regional Councillor who is unable to fulfil their duties for a period in excess of one month. Such appointments can be made on a case-by-case basis as the need arises.

In addition to the powers of appointment under Section 267, Bill 68 has added new provisions to Section 268 that give additional authority for Council to appoint a substitute Regional Councillor. Pursuant to the newly enacted Section 268, Council may identify one (and only one) of its local Councillors to serve as an alternate to Regional Council when either of the two Regional Councillors, or the Mayor is unable to attend a meeting of Regional Council for any reason. The purpose and scope of the newly enacted Section 268 is not yet altogether clear, but staff have tentatively concluded that such an appointment may be useful and appropriate in situations where there is a short-term (ie. one month or less) non-availability of a Regional

Councillor. In the draft By-law attached to this Report, staff propose that the Procedural By-law be amended to include the optional appointment of an individual local Councillor as a part of the business during the first meeting of a new term of Council, similar to the appointment of a Deputy Mayor. It would be the responsibility of this Councillor to substitute for the absence of a Regional Councillor in the circumstances of a short-term absence, and the term of the appointment would be for the duration of the term of Council, unless replaced sooner. The rationale for this staff recommendation is that it would provide for Clarington to maintain its representation on Regional Council in the event of an absence of one of the Clarington Regional Councillors. For clarity, the appointment of alternate Regional Councillors is not mandatory. It is at the discretion of Council as to whether or not to accept the proposed amendment to the Procedural By-law, and whether or not to appoint an alternate Regional Councillor pursuant to Section 268 of the Act.

In late December, 2017 Regional Council considered Report #2017-COW-289, Recommended Actions related to: Bill 68 – Modernizing Ontario’s Municipal Legislation Act, 2017, and approved the Temporary Replacement – Alternate Members of Regional Council Policy which is attached to this report as Attachment 2. This Regional Policy details the process for how a designated alternate notifies the Region, their powers and duties as an alternate, clarifies any discrepancies should both the Member and an alternate attend the same meeting, and speaks to remuneration and legal expense indemnification. Should Clarington Council choose to appoint an alternate, the Regional Policy would apply to the designated alternate.

2.1.6 Other noteworthy amendments that come into force as of January 1, 2018 include:

- Regulations regarding small business counselling; and
- A requirement that, following the regular election in 2018 and every second regular election afterwards, a regional municipality shall review the proportion of Regional Councillors from each of its constituent area municipalities to determine if any adjustments would be appropriate.

2.2 Changes to be implemented for March 1, 2019

A number of provisions included in Bill 68 will come into force on March 1, 2019, after the next term of Council has begun, including the following:

- Mandatory requirements to adopt a Code of Conduct for council, its committees, and local boards, including new regulations governing the contents of the Codes of Conduct. The regulations have not yet been prescribed. Staff will continue to monitor the situation and review any proposed regulations that are released by the Province with a view to identify any amendments that may be needed to the existing Code of Conduct for Clarington Council.
- Mandatory appointment of an Integrity Commissioner to investigate alleged breaches of the Codes of Conduct and the Municipal Conflict of Interest Act for by Councillors and members of local boards. Currently, Clarington’s Integrity Commissioner’s authority is limited to Council and does not include local boards.

- A requirement that all alleged conflicts of interest be supplied in a written form, and that all written submissions are recorded in a public registry.
- The mandatory adoption of policies to provide for several matters including:
 - The manner in which the municipality will preserve its tree canopy and natural vegetation;
 - The relationship between Council and officers/employees of the municipality; and
 - Parental leave for members of Council.

Staff will report further on the impact of these provisions prior to the effective date of the requirements in 2019.

In addition to the changes detailed in this Report, there are further amendments to the Act for which declared date of proclamation has yet to be named. These include provisions related to regulations to expand the scope of eligible investment tools available to the municipality, property taxes, tax collection, and tax sales. Staff will report on these provisions when more information is available from the Province.

3. Concurrence

Not Applicable

4. Conclusion

It is respectfully recommended that Council enact the draft by-law attached to this Report as Attachment 1 to amend the Procedural By-law to replace the definition of a meeting, and to provide for the appointment of an alternate Regional Councillor. It is further recommended that Council provide direction to staff as to whether or not to proceed to identify implementation requirements for electronic Council, Committee and Local Board meetings.

5. Strategic Plan Application

Not applicable.



Submitted by:

C. Anne Greentree, B.A., CMO,
Municipal Clerk



Reviewed by:

Andrew C. Allison, B. Comm, LL.B
CAO

Staff Contact: Anne Greentree, Municipal Clerk, 905-623-3379 or agreentree@clarington.net

There are no interested parties to be notified of Council's decision.

Attachments:

Attachment 1 – Draft Amendment to By-law 2015-029

Attachment 2 – Region of Durham Policy - Temporary Replacement – Alternate Members of
Regional Council Policy

**The Corporation of the Municipality of Clarington
By-law 2017-**

Being a by-law to amend Procedural By-law 2015-029

WHEREAS Ontario Bill 68 makes certain amendments amends to the *Municipal Act, 2001*, S.O. 2001, c.25,

AND WHEREAS the Council of the Municipality of Clarington has considered the legislative effects of the Bill 68 amendments and deems it appropriate to revise certain provisions of its Procedural By-law 2015-029.

Now therefore the Council of the Municipality of Clarington hereby enacts as follows:

1. That Section 1.2 of By-law 2015-029, being the Procedural By-law, is amended by striking out the definition of “meeting” and substituting with the following:

“meeting” means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where (a) a quorum of members is present, and (b) members discuss or otherwise deal with any matter in a way that materially advances the business of a decision-making of the council, local board or committee.

2. That By-law 2015-029, being the Procedural By-law, is further amended by deleting heading 3.2 and substituting for it the following:

3.2 Appointment of Deputy Mayor and Alternate Regional Councillor

3. That By-law 2015-029, being the Procedural By-law, is further amended by adding to it, immediately following Section 3.2.2, the following section:

3.2.3 At the first meeting of a new term of Council, or at any subsequent meeting the Council considers it appropriate, Council may appoint one of its members as an alternate member of the upper-tier council, to act in place of a person who is a member of the councils of the local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier council for any reason.

Implementation

4. This amending By-law shall come into full force and effect on the date of enactment.

Passed this 15th day of January, 2018.

Adrian Foster, Mayor

C. Anne Greentree, Municipal Clerk



CORPORATE SERVICES – LEGISLATIVE SERVICES POLICIES AND PROCEDURES MANUAL

Date Originated: January 1, 2018

Revision Date:

Authority/Reference: Council/Regional Clerk

Subject: Temporary Replacement – Alternate Members of Regional Council

1.0 Purpose:

1.1 To outline the policies and procedures with respect to Alternate Members of Regional Council, if appointed by the lower-tier municipalities.

2.0 Definitions:

2.1 “Regional Council Member” means a member duly elected to a lower-tier council and to Regional council in The Regional Municipality of Durham.

2.2 “Lower-Tier Council Member” means a member duly elected to the council of a lower-tier municipality within The Regional Municipality of Durham.

2.3 “Alternate Council Member” means a Lower-Tier Council Member who has been appointed by the lower-tier council to act as a substitute member on Regional council when another member of that lower-tier Council is unable to attend a Regional council meeting.

3.0 Background:

3.1 The Municipal Act Subsection 268 (1) allows that the council of a local municipality may appoint one of its Lower-Tier Council Members as an Alternate Council Member, to act in place of a person who is a member of the councils of the local municipality and its upper-tier municipality, when the person is unable to attend a meeting of the upper-tier council for any reason. This subsection does not authorize the appointment of more than one Alternate Council Member during the term of council, or the appointment by the local municipality of an alternate head of council of the upper-tier municipality.

4.0 Policy:

4.1 Each of the eight local area municipalities of Ajax, Brock, Clarington, Oshawa, Pickering, Scugog, Uxbridge, and Whitby, may choose to appoint one (1) of their local councillors to act as an Alternate Council Member should one of their



CORPORATE SERVICES – LEGISLATIVE SERVICES POLICIES AND PROCEDURES MANUAL

regional councillors be unable to attend a Regional Council meeting. Alternate Council Member attendance is limited to Regional Council meetings only.

- 4.2 In accordance with the Act, only one Alternate Council Member is to be appointed by each area municipality. The Alternate Council Member would be appointed for the entire term of Council. Should the seat of the Alternate Council Member become vacant, then the municipality may appoint another member to act as the Alternate Council Member to Regional Council. The area municipal Clerk will notify the Regional Clerk if an Alternate Council Member has been appointed and provide the Regional Clerk with a copy of the Alternate Council Member's oath of office.
- 4.3 Alternate Council Members may only substitute when a Regional Council Member from their area municipality is unable to attend a meeting, substitutions for part of a meeting will not be permitted.
- 4.4 If more than one member is absent from a lower-tier municipality, the alternate may only substitute for one of the absent members from their municipality.
- 4.5 This policy applies to short-term substitutions only such as when a member must be absent for a Council meeting for any reason (planned or unforeseen). Section 267 of the Act may also apply and is a provision the area municipality may consider for longer-term absences.

5.0 Procedure re Notification:

- 5.1 When a Regional Council Member knows that they will not be able to attend a Regional Council meeting and that their municipality's Alternate Council Member will be attending in their place, they should attempt to notify the Regional Clerk, in writing, as soon as possible prior to the meeting. Written notification may be sent to clerks@durham.ca. The Clerk of the area municipality may also send notification on behalf of the Regional Council Member subject to their municipality's procedures, if any.
- 5.2 The Region is not responsible for notifying Alternate Council Members that they are expected to be in attendance. Regional Council Members should refer to their area municipality's procedures, if any, in this regard.
- 5.3 It is understood that unforeseen circumstances may arise when a Regional Council Member is unable to send notification prior to the meeting that an Alternate Council Member will be attending in their place. When notification has not been received by the Regional Clerk prior to the meeting, an Alternate



CORPORATE SERVICES – LEGISLATIVE SERVICES POLICIES AND PROCEDURES MANUAL

Council Member may advise the Clerk, or the Clerk's representative, at the meeting that they are acting as a substitute for a Regional Council Member.

6.0 Powers/Duties of the Alternate Council Member:

- 6.1 While in attendance at a Regional Council meeting, the Alternate Council Member will have all of the same powers and duties as a Regional Council Member e.g. may move motions and vote. The Alternate Council Member must adhere to all applicable policies and procedures that apply to Regional Council Members while in attendance at a meeting e.g. the Region's Procedural By-law and Council Code of Conduct.
- 6.2 The Alternate Council Member will only have the same powers and duties of a Regional Council Member during the meeting they are attending. Prior to, or after the meeting, the Alternate Council Member cannot submit agenda items such as notices of motion, or pull items from the Region's Council Information Package for inclusion on an upcoming Agenda.

7.0 Administrative Matters:

- 7.1 The Regional Clerk's office will maintain a record of the names of the Alternate Council Members appointed by each lower-tier municipality, as provided by the lower-tier municipal clerk.
- 7.2 The minutes of Regional Council meetings will reflect when a Regional Council Member is absent and that a named Alternate Council Member attended in their place.
- 7.3 Alternate Council Members may access the Region's Council agenda package via the web at www.durham.ca or may request a paper copy from the Clerk. Confidential agenda material will only be provided to the Alternate Council Member upon the Regional Clerk being advised that the alternate member will be attending the meeting, or upon attendance at the meeting if notice is not provided.
- 7.4 The Region will make every attempt to prepare for the attendance of an Alternate Council Member provided that sufficient notice is given. Preparation may include updating the name plates in Council Chambers; provision of a paper copy of the Agenda, including any confidential material to be discussed at the meeting in advance of the meeting; and a mileage expense form.



CORPORATE SERVICES – LEGISLATIVE SERVICES POLICIES AND PROCEDURES MANUAL

- 7.5 Alternate Council Members will receive mileage compensation at the approved corporate rate from the Region for attendance at a meeting. As attendance as an Alternate Council Member is seen as fulfilling part of the duties as a Lower-Tier Council Member, no further compensation from the Region will be provided.
- 7.6 Once appointed, Alternate Council Members will receive a copy of the Region's Procedural By-law and may also request a brief orientation session from the Clerk.

8.0 Discrepancies:

- 8.1 If a discrepancy should arise where a Regional Council Member and an Alternate Council Member are both in attendance at the start of a meeting, the Regional Council Member shall assume their role at the meeting. Regardless of whether the Alternate Council Member is under the belief that they are attending on the Regional Council Member's behalf, they will not be permitted to act in the capacity as Alternate Council Member when the Regional Council Member is in attendance, but may attend the meeting as a public spectator only.
- 8.2 Once the determination has been made that an Alternate Council Member is attending on a Regional Council Member's behalf, the Alternate Council Member shall remain on behalf of the Regional Council Member for the duration of the meeting, regardless of whether the Regional Council Member shows up. The Alternate Council Member will be noted as the member in attendance for the entire meeting and the Regional Council Member may attend the meeting as a public spectator only.

9.0 Legal Expense Indemnification

- 9.1 An Alternate Council Member member will only be considered a Regional Council Member during attendance at a Regional Council meeting. At all other times they will be considered as a private citizen for the purposes of the Region's Legal Expense Indemnification Policy. The Alternate Council Member would not be entitled to Legal Expense Indemnification from the Region for any statutory prosecution or disciplinary proceeding brought against them, unless such action is the result of an incident that occurred during the Alternate Council Member acting in good faith, in the course of their duties, at a Regional Council meeting, if during such time they were acting as an Alternate Council Member member of Regional Council.



If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee

Date of Meeting: January 2, 2018

Report Number: COD-001-18 **Resolution:**

File Number: **By-law Number:**

Report Subject: Bill 148, Fair Workplaces, Better Jobs Act, 2017

Recommendation:

1. That Report COD-001-18 be received for information.

Report Overview

This report is intended to provide information for Council regarding *Bill 148, Fair Workplaces, Better Jobs Act, 2017*.

1. Background

1.1 Bill 148 Legislation Timelines

Bill 148, the *Fair Workplaces, Better Jobs Act*, received Royal Assent on November 27, 2017.

Some of its provisions came into force upon Royal Assent. Provisions that amend the *Employment Standards Act*, and the *Occupational Health & Safety Act* come into force on January 1, 2018, April 2018 and January 1, 2019. The attached table #1 outlines the provisions of Bill 148 and the general changes to the *Employment Standards Act (ESA)*, *Labour Relations Act (LRA)*, and the *Occupational Health & Safety Act (OHSA)*. Late changes to the proposed Bill included exemptions to the Volunteer Firefighters comparison to full time positions for equal pay, and on call provisions for fire and snow removal services. The exemption on the Volunteer Firefighters full time comparison will be dealt with through regulations.

1.2 Impact of Bill 148

Throughout the consultation process of Bill 148, there were concerns raised by the Municipal sector Associations such as AMO, MFOA, OHMRA, and the OAFCA, regarding the negative and costly effect of the proposed legislation. The small business industry also raised many concerns regarding the financial impact of this Bill. The timing of the legislation was also seen being processed more quickly than expected, particularly considering the wide potential impact and changes to three existing pieces of legislation.

The changes to the legislation for each of the Acts are outlined in Attachment #1, compiled from information circulated by Hicks Morley, the Province, OMHRA, and other Associations. It notes the clauses of the particular Act that has changed with Bill 148, the effective date, and whether the preliminary costing has been considered by Clarington.

The impacts of the Bill are spread predominantly over 2018 and 2019. There are some conditions that are not triggered on the effective dates if they are covered by prevailing collective agreements, however any of those provisions will be over-riden by the legislation at January 1, 2020, regardless of the collective agreement conditions. The Municipality will be entering negotiations for the 2018 and future term, and will be considering the implications of the specifics of the legislation during deliberations.

The operational impacts such as scheduling, on-call implications, cancellation of shifts, absence coverage for the additional 2 ESA days with no medical documentation, extended leave and new leave provisions and the related coverage and support document requirements, will all be worked out as the occasions arise going forward. It is difficult to qualify and quantify some of the subtle and event driven impacts, in advance of

the experience. The estimated cost of Bill 148 on the known areas of impact has been assessed as referenced below.

2. Financial Consideration

The provisions of Bill 148 that are known to affect areas that can be quantified and qualified have been assessed. There may be significant impacts that cannot be determined at this time. Further information will be forthcoming as the legislation is implemented.

The most widely impacted department with this legislation is Community Services, as it employs the most part-time positions, however all departments are impacted in some way. The areas known to be impacted financially at this point for 2018 are as follows:

a. Part-time	
i. Minimum Wage	\$ 62,343
ii. Vacation Pay Increase from 4% to 6%	\$ 42,088
iii. 2 Paid ESA Emergency Days	\$ 77,003
b. On-Call & Contingencies	\$ 24,117
c. Full-time ESA Emergency Days:	<u>\$ 99,449</u>
Estimated 2018 Cost Impact Budgeted	<u>\$305,000</u>
The 2019 estimated costs for the above totals	<u>\$242,635</u>

At this point the costs are estimates based on past activities, and/or known circumstances. It is realistic to predict that the direct and indirect costs associated with the legislation will escalate over time and will be absorbed into budgets as they are experienced. For the 2018 Budget, the Director of Finance has included the total of \$305,000 based on the above best estimates at this point.

3. Concurrence

All Department Heads have discussed and reviewed the provisions of Bill 148 for potential implications to the operational and budgetary impact on their Department.

4. Conclusion

It is respectfully recommended that Report COD-001-18, regarding *Bill 148, Fair Workplaces, Better Jobs Act, 2017*, be received for information.

5. Strategic Plan Application

Not Applicable

Submitted by:



Marie Marano, H.B. Sc., AMCT.,
Director of Corporate Services

Reviewed by:



Andrew C. Allison, B. Comm, LL.B
CAO

Staff Contact: Lisa Wheller, Human Resources Manager Ext 2205 or lwheller@clarington.net

Attachment 1 – Bill 148 Provisions

December 14, 2017		'Bill 148 Provisions	COD-001-18 Attachment # 1	
CATEGORY	GENERAL CLAUSE CHANGES		EFFECTIVE DATE	Financial Impact Assessed Y/N
Item #	Employment Standards Act, 2000 ESA Changes			
1	Employee Classification Prevent misclassification of employee as independent contractors. Onus on Employers to prove an individual is independent contractor and not an employee		November 27, 2017	N
2	Parental Leave Increase parental leave by a total of 26 weeks: * from 35 weeks to 61 weeks for employees who to pregnancy leave, and * from 37 weeks to 63 weeks for employees who did not. adjustment to timing of when leaves begin and end - in line with <i>E.I. Act</i> (once election made - no change)		December 3, 2017	N
3	Critical Illness Leave Replaces Critically Ill Child Care Leave, to provide a new leave with two entitlements: * up to 37 weeks in a 52-week period for care of critically ill family member-child * up to 17 weeks in a 52-week period for support to critically ill adult family member			N
4	Minimum Wage Increase to \$14.00 Increase to \$15.00 , thereafter increases based on CPI		January 1, 2018 January 1, 2019	Y Y
5	Public Holiday Pay New formula to divide wages earned in pay before the holiday by # days worked Substitute holiday where an employee worked or it occurred on a day off - written statement required setting out the replacement date.		January 1, 2018	N Y
6	Vacation with Pay Vacation pay will increase to 3 weeks paid vacation or 6% of wages where the employment is 5 years or more.		January 1, 2018	Y
7	Leaves of Absence a) Pregnancy Leave - from 6 weeks up to 12 weeks for miscarriage or still-birth b) Family Medical Leave & Caregiver Leave - for family member with risk of death within 26 weeks - increased leave from 8 weeks to 28 weeks within a 52 week period. Caregiver Leave 8 weeks per calendar year per member. Both leaves could extend to person deemed "like" family. c) Crime-Related Child Disappearance Leave and Child Death Leave - after 6 months of employment - entitlement to up 104 weeks of leave without pay. d) Domestic or Sexual Violence Leave - after 13 weeks of employment - for incident or threat of violence for employee or their child, annually - up to 10 days leave and up to 15 weeks of leave, with the first 5 days of leave paid . e) Personal Emergency Leave - all employees, after 1 week of employment - first 2 days of the current unpaid 10 day entitlement, are paid. Employers are prohibited from requiring a medical note for any ESA days.		January 1, 2018	N N N N Y
8	Record Keeping Retention period extended from 3 years to 5, and requirement to now keep records of on-call schedules, cancellations of shifts, on call periods, vacation pay and other matters.		January 1, 2018	N
9	Temporary Help Agency Temporary Help Agency must provide 1 week written notice or pay-in-lieu where the assignment is terminated early.		January 1, 2018	N/A
10	Complaint Filing Repeal of Sec.96.1 of ESA - employee no longer required to inform employer of basis of a complaint to ESA, before an employment standards officer is assigned to investigate.		January 1, 2018	N/A
11	Additional Amendments Range of other changes to ESA including: expansion of related employer provision, electronic agreements, penalties for non-compliance, wage collection measures, & revoking "recognition" of employers who meet prescribed criteria for compliance.		January 1, 2018	N/A
12	Equal Pay/Equal Work a) Difference in Employment Status (i.e. Part-time vs Full-time) Prohibits payment of different wages because of difference in employment status (for permanent, temporary, casual or seasonal) if performing substantially the same work, with substantially the same skill, effort and responsibility, under similar working conditions. (substantially the same does not mean necessarily identical) (Differential pay rate can be justified on objective grounds including seniority, merit or measured quantity/quality of production) (Employees have a right to request a review of their pay rate without reprisal) A Collective Agreement in effect on April 1, 2018 with different rates based on employment status prevails until the expiry of the C.A. or January 1, 2020. b) Assignment Employee Status Temporary help agency employees assigned to a client must be paid the same rate as an employee of the client, where they perform substantially the same work. (with same criteria as above)		April 1, 2018	Y N
13	Change Work Location or Schedule After 3 months employment, employees can request in writing, a change in their schedule or work location - employer must discuss and notify of decision in reasonable time, with reasons provided for any denial.		January 1, 2019	N/A
14	Scheduling a) Three-Hour Rule Employees who regularly work more than 3 hours - where they work less than 3 hours in a shift, must be paid the greater of 3 hours regular rate or amount earned while working plus remaining time at regular rate. (except where work stopped due to external forces) b) Minimum On-Call Pay On-call employees not called in, or work less than 3 when called in - paid greater of 3 hours regular rate, or amount earned plus remaining time at regular rate. Does Not Apply - employees on call for essential public services and not required to work. - including Fire and Snow Removal Collective agreements in place on January 1, 2019 prevail until the earlier of the expiry or Jan.1,2020 c) Right to Refuse Work Employees have a right to refuse work or be on call on days not scheduled if the request is made less than 96 hours before start of shift - unless for emergency or threat to public safety or delivery of essential public service. Collective Agreements prevail until 2020 d) Minimum Cancellation Pay		January 1, 2019	N reviewing process N

December 14, 2017		'Bill 148 Provisions	COD-001-18 Attachment # 1	
CATEGORY	GENERAL CLAUSE CHANGES	EFFECTIVE DATE	Financial Impact Assessed Y/N	
	Cancelling a scheduled work day or on-call within 48 hours of start, requires payment of 3 hours work - except where cancelled for weather-dependent conditions, or power failure, fire, lightning etc. outside of Employer's control, causing cancellation.	...Page 2	assess on actual claims	
	Collective agreements in place on January 1, 2019 prevail until the earlier of the expiry or Jan.1,2020		N/A	
	e) Limitation on Payment Employees are only entitled for payment for 3 hours in respect of one scheduled day of work or on call period - i.e. where cancelled for outside causes		N/A	
	Labour Relations Act, LRA 1995	January 1, 2018	N/A	
15	Employee Lists If Trade Union can establish 20% support in workplace - subject to certain requirements, it can apply to the OLRB to order employer to provide an employee list with name, phone # & personal email. Employer and Union have obligations regarding confidentiality of info.			
16	Remedial Certification If OLRB is satisfied of contravention of the Labour Relations Act and Union was not able to get 40% support, or if the true wishes of the employees are not likely reflected in a representation vote, the OLRB is required to automatically certify the Union as the bargaining agent of the employees.	January 1, 2018		
17	Just Cause Protection Expanded Just cause protection for employees - employer will be prohibited from discharging or disciplining an employee without just cause during the period of a lawful strike/lockout. Also no discipline or termination except for just cause once a trade union has been certified, until a new collective agreement is entered into.	January 1, 2018		
18	Bargaining Unit Structure Review a) Consolidation after Certification For a newly certified bargaining unit - within 3 months of certification - either employer or Union can apply to the OLRB for a review of the structure of the unit, and the same union already represents employees with the employer, the Board may: * order the consolidation of the bargaining units, * amend any certification order * order the existing collective agreement will apply to the consolidated bargaining unit, * declare an employer is no longer bound by an existing collective agreement, * amend a collective agreement including expiry dates and seniority provisions, * determine the terms and conditions that apply until a C.A. for the consolidated unit is set b) Joint Review by Parties Employer and Trade Union (or Council of Trade Unions) that represent multiple units may jointly agree to review the structure of the bargaining units. The parties may agree to changes, with OLRB consent, including: * consolidating bargaining units * amending descriptions of bargaining units * make existing collective agreement apply to consolidated units * amend collective agreements, including expiry & seniority	January 1, 2018		
19	Card-Based Certification - Certain Industries - Building Services, Home Care and Community Services Industries Certification in these industries, and temporary help industry can elect to have its application on a card-based vs existing vote-based certification process. OLRB will dismiss application if less than 40% of employees are Union members.	January 1, 2018		
20	First Collective Agreement a) Educational Support Ministry of Labour will provide educational support in labour relations and collective bargaining upon request of either party to a 1st C.A. b) 1st Collective Agreement Mediation Parties can apply for appointment of a mediator and an OLRB-managed process. The applying party submits a list of disputed items; 2nd party submits their list in 5 days, and Minister appoints mediator within 7 days of receiving application. After mediator is appointed - time limits apply before lawful strike or lockout / when the OLRB might decertify or displace application / when a party seeks OLRB to direct settlement of a 1st agreement by mediation-arbitration. c) 1st Agreement Mediation-Arbitration If directed by OLRB, parties agree to single mediator-arbitrator; submissions are made under time limits. No strike or lockout where C.A. is being settled by mediation-arbitration. All rates & other terms of employment continue until the 1st C.A. is determined. C.A. would be settled for a 2 year period from date it is settled.	January 1, 2018		
21	Successor Rights LRA provisions expanded to include changes to building services providers - services to building owners related to cleaning services, food services & security services. Also criteria on sale of business.	January 1, 2018		
22	Right to Return from Strike or Lockout Time limit during which a striking employee can return to work (6 months) is removed. Just cause protection during strike/lockout, and employees have a right to challenge any refusal to reinstate them to employment following stake/lockout - through the grievance/arbitration process.			
23	Remedial Powers OLRB OLRB power to issue interim orders expanded	January 1, 2018		
24	Logistics of Votes OLRB permitted to conduct votes outside the workplace, and electronically or by telephone.	January 1, 2018		
25	Fines Increased maximum fines: Individuals - from \$2,000 to \$5,000 / Employer from \$25,000 to \$100,000.	January 1, 2018		
	Occupational Health & Safety Act	November 27, 2017	N/A	

	December 14, 2017	'Bill 148 Provisions	COD-001-18 Attachment # 1	
	CATEGORY	GENERAL CLAUSE CHANGES	EFFECTIVE DATE	Financial Impact Assessed Y/N
26	Elevated Heels	Employer cannot require wearing heels unless it is required for safety - except entertainment and advertising industry.		

Operations Department Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee

Date of Meeting: January 2, 2018

Report Number: OPD-011-17 **Resolution:**

File Number: **By-law Number:**

Report Subject: Private Tree Protection

Recommendations:

1. That Report OPD-011-17 be received;
2. That Council consider the following options to regulate the protection of trees on private property:

Option 1

That the Municipality continue to follow the existing layers of legislation and regulations aimed at protecting trees in the rural and urban areas of Clarington;

Option 2

That the Municipality retain a consultant in 2018 to develop an Urban Forest Management Strategy at an estimated cost of \$50,000; or

Option 3

That the Municipality hire a full-time staff person in 2018 at an estimated cost of \$88,500 to develop the Urban Forest Management Strategy in-house and then continue with the administration and enforcement of the Strategy recommendations.

3. That if Option 2 or Option 3 is selected, Council direct staff to include the necessary funding in the 2018 budget.

Report Overview

The purpose of this report is to provide Council with background information regarding the development of a private individual tree protection protocol. This report seeks direction from Council on funding levels to support processes to manage the preservation and protection of individual trees throughout the Municipality on private property.

1. Background

- 1.1 At the General Government Committee Meeting held on October 16, 2017, Council passed Resolution #GG-439-17, directing staff to prepare a report on the possible amendments to Clarington's Tree By-law 97-35 to regulate the protection of individual trees.
- 1.2 Earlier reports on the matter submitted by the Clerk's Department, CLD-013-2016, and also the Planning Services Department, PSD-055-16, outlined the present way in which tree protection is addressed by the various layers of legislation and regulations for the rural and urban areas of Clarington. At a basic level, tree preservation is addressed by policies in the Official Plan and enforcement is carried out through a combination of the Ministry of Natural Resources (wetlands), the Conservation Authorities (valleylands), the Durham Region Tree By-law (for woodlots larger than 1 hectare) and Clarington's Tree By-law (for woodlots between 0.2 and 1 hectare) south of Taunton Road. In addition, the Ministry of Environment and Climate Change is responsible for approving projects that may require tree protection in accordance with the regulations of the Environmental Assessment Act.
- 1.3 Tree protection for areas smaller than 0.2 hectares is carried out as part of Clarington's Planning Act applications that typically occur in urban areas. Environmental Impact Studies are a requirement used for all types of development whereby the natural heritage system such as wetlands, valleylands and woodlands may be adversely affected. As part of the Environmental Impact Study a tree protection plan is a necessary requirement for the submission of a complete application and a standard requirement for draft subdivision approval. Through the construction phase, Engineering Department monitors on-site work for conformity to the approved drawings and tree preservation.
- 1.4 For trees that are located on public property, including street trees, the analysis of when they should be removed or retained is presently carried out as part of the Operations and Engineering Departments mandates. Every effort is made to preserve and/or mitigate tree removal following conformity with the Environmental Assessment Act, municipal protocols, the Municipality's Boulevard By-law and also the interest of public safety.

- 1.5 Subject to the current scope of Clarington's existing Tree By-law and its standard exemptions, an application for a permit to destroy trees is currently not required:
1. on lands that are covered by a Woodlot Management Plan approved by a forestry consultant;
 2. where the destruction of trees is necessary to construct a building authorized by a Municipal building permit or to install a domestic well or sewage disposal system;
 3. when the destruction of trees is for the personal use of the land owner, provided that no more than twenty (20) trees are to be destroyed in any 12 month period, whereby the destruction of trees will not reduce the number of trees in the woodlot below a minimum number that would constitute a woodlot as defined in the By-law; and
 4. where the destruction of trees occurs as an integral component of an active farm operation.
- 1.6 Clarington's Tree By-law does not currently regulate or protect individual trees on either public or private lands. This includes development properties once they have been conveyed by the developer to a private landowner.

2. Proposal

- 2.1 The significant contribution that urban forests make to the municipal landscape is well understood. Green infrastructure or urban forests are important as they help to cool our environment during summer months, improve air quality, reduce noise, increase water storage and also help to maintain ecosystems. Urban forests are a combination of both municipal and privately owned trees, they create strong positive effects on the social, environmental and economic standard of living.
- 2.2 This initial tree protection review suggests that many larger urban municipalities in Ontario have recently chosen to enact by-laws with greater restrictions on private tree removal that extend beyond the protection of trees in environmentally sensitive lands and woodlots.
- 2.3 It is understood that no local municipalities in Durham Region have yet introduced these types of changes into their tree by-laws. As a result, tree protection practices from the City of Toronto, City of Mississauga, Town of Richmond Hill, City of Markham, Town of Aurora, City of Kingston, City of Vaughan and the City of Peterborough have been reviewed. Typical key elements associated with the by-laws from each of these municipalities include:

- The requirement for a permit to remove, cut down or in any way injure a tree of a pre-determined size and/or species on private property anywhere in the municipality;
 - Additional restrictions that apply to smaller trees for several special interest areas such as properties that back onto ravines or woodlots;
 - Permits are normally not required for pruning or the removal of diseased, dead or hazardous trees;
 - A permit may include conditions that require a replacement tree;
 - The application conditions may include the posting of a notice on the resident's property.
- 2.4 Although the administration of a private tree protection by-law will require a significant amount of staff resources to process applications, inspect site conditions, implement permit conditions and/or enforce non-compliance tree injury or destruction, typical municipal models demonstrate the potential that a percentage of the program cost may be recovered through application fees. The process of individual tree protection also requires a considerable amount of time and expense by the respective landowners. Typically, the program will require public notification, an application fee and the completion of an assessment by a professional arborist.
- 2.5 Revisions to the Tree By-law could strengthen the provisions of the existing by-law thereby maintaining or increasing the overall coverage of the tree canopy, controlling the clear cutting of trees and the promotion of good forestry and arboricultural practices that are necessary to sustain healthy woodlands. They could also address tree protection before or after the planning application process.
- 2.6 When enacted on March 1, 2019, the provisions of Bill 68 to Modernize Ontario's Municipal Legislation Act, 2017, will require the Municipality to establish a policy on "the manner in which the Municipality will protect and enhance the tree canopy and natural vegetation in the municipality". It should be understood that staff have already made changes in Clarington's Official Plan to suitably cover off this future requirement.

3. Financial Implications

- 3.1 The development of an effective program to protect individual private trees should begin with the completion of an Urban Forest Management Strategy. The strategy will help to safeguard many of the benefits provided by trees and also establish a practice to preserve, renew and enhance this essential resource. Specific goals that may be derived from the development of a Forest Management Strategy include the following:

- To maintain and enhance a sustainable urban forest.
 - To maximize the benefits of the urban forest for the well-being of the community.
 - To formalize and enhance the municipality's accountability as a steward, manager, regulator and promoter of the urban forest,
 - To recognize and manage the urban forest as a key element of the municipality's green infrastructure.
 - To preserve and protect the health of the urban forest and prevent unnecessary damage or removal.
 - To identify and recognize significant valuable trees based on historic, aesthetic, cultural, social and ecological criteria.
 - To create a regulatory framework that includes ongoing monitoring and assessment.
 - To increase community awareness of the benefit of trees, encourage community involvement and create a shared responsibility for the stewardship of the urban forest.
- 3.2 A request for funding in the amount of \$50,000 for an external consultant to undertake this study was submitted by the Operations Department as part of the 2017 Current Budget but was not approved. It is estimated that the same level of funding will be required in the 2018 Current Budget to complete the Forest Management Strategy.
- 3.3 It is important to understand that developing a Forest Management Strategy, which may include recommended changes to the existing Tree By-law 97-35, is only worth pursuing if the resources are made available to implement the recommendations. Among other things the implementation of the goals proposed in a Forest Management Strategy could require additional staff support. As addressed earlier in this report, amendments to the Tree By-law to protect individual trees on private property will require the processing of permit applications, the inspection of on-site conditions, the implementation of permits and/or the enforcement of by-law regulations. It should be noted that this single initiative represents only one of the expected objectives from the Strategy.
- 3.4 The staff complement for this mandate is recommended to be a certified arborist that is also qualified for by-law enforcement. The cost for this type of full-time position is estimated at \$88,500 (base salary plus benefits) in accordance with Clarington's 2017

wage rates. As noted earlier, a reasonable percentage of this cost may be recovered through the permit application fees from those trees that are located on private property.

- 3.5 As an alternative to the provision of funding for the external consultant to develop the Forest Management Strategy the project could be assigned to the new staff person. The task would require the formation of an Urban Forest Committee that would include various municipal staff, Conservation authorities, a Council representative and a number of interested members from the public. Under this scenario it would be expected that a Forest Management Strategy and amendments to the Tree By-law would be ready for presentation to Council for consideration in early 2019.
- 3.6 In addition to the development of the Forest Management Strategy the new staff person could also be assigned the mandate of investigating the estimated 150 work order requests that are received each year to remove trees located on municipal property. Many of these requests are brought forward due to safety concerns that include insect infestations, disease, mortality issues and nuisance matters resulting from the dropping of seeds, fruit or sap. Approximately 70 of these requests are considered justified thereby requiring tree removal.

4. Concurrence

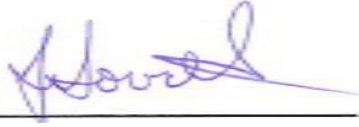
- 4.1 This report was reviewed by the Municipal Clerk, Director of Planning Services, Director of Engineering Services and the Director of Finance/Treasurer who concur with the recommendations.


5. Conclusion

- 5.1 In accordance with Council's direction, staff have undertaken a preliminary review of the possible amendments that could be introduced into Clarington's Tree By-law 97-35 to regulate the protection of private individual trees. The By-law revisions and recommended forest management plan, however, will require the provision of additional resources in both the short and longer-term horizons to successfully develop and administer this new level of service.
- 5.2 Should Council wish to pursue the regulation of privately owned trees, the Operations Department will work collaboratively with other internal staff and external agencies on the development of changes aimed at providing Clarington and the community with updated guidance, procedures, standards, and policies to protect both municipally owned and private trees.

6. Strategic Plan Application

- 6.1 This report contributes to the 2015-2018 Strategic Plan initiative to “Enhance Access to Our Unique Natural Environment”. Concerted efforts by the Municipality to protect individual private trees will demonstrate action to help improve our relationship with sustainability and also that of climate change adaptation and mitigation.

Submitted by: 
Frederick J. Horvath
Director of Operations

Reviewed by: 
Andrew C. Allison, B. Comm, LL.B
CAO

Staff Contact: Stephen Brake, Manager of Operations, 905-263-2291 or
sbrake@clarington.net

File: A-2100

December 19, 2017

DELIVERED BY E-MAIL

(kwynne.mpp@liberal.ola.ca)

The Honourable Kathleen Wynne, M.P.P. (Don Valley West)
Premier

Re: Request for Deferral of Site Selection for a Potential Cannabis Store in Oshawa

Oshawa City Council considered the above matter at its meeting of December 15, 2017 and adopted the following:

“Whereas on December 12, 2017 the Province of Ontario approved legislation titled Ontario’s Cannabis Act, 2017 to regulate the lawful use, sale and distribution of recreational cannabis; and,

Whereas the Liquor Control Board of Ontario (LCBO) will be responsible for operating cannabis stores and is in the process of meeting with municipalities that have been identified as locations for Provincially operated cannabis stores; and,

Whereas on December 12, 2017 the LCBO identified Oshawa, Ajax and Whitby as a potential cannabis store location with the intention of opening the store by July 1, 2018; and,

Whereas on December 13, 2017 staff from the Province met with Mayor Henry and City and Regional staff to overview the Province’s cannabis store siting guidelines and other matters concerning the Province’s approach to dealing with issues related to recreational cannabis plan; and,

Whereas there are a number of outstanding issues of concern to the City regarding the legalization of cannabis that need to be addressed prior to July 1, 2018, such as the process to determine appropriate locations for stores, the financial impact on the Region and City, the impact on Durham Regional Police and the City’s by-law enforcement staff, the impact on social service agencies and health care services such as those that deal with addictions and the impact of cannabis smoke on the quality of life and health of residents within adjacent properties/dwelling units; and,

Whereas City staff will be leading a collaborative effort with the Region of Durham, the Town of Ajax and the Town of Whitby to ensure there is a common understanding of all questions and concerns; and

Whereas the Province has provided City staff with “Proposed Guidelines for Siting of Cannabis Stores” which includes a commitment to comply with all municipal zoning by-laws; and,

Whereas the City should conduct public consultation on the proposed guidelines for siting cannabis stores including a review of the zoning by-law; and

Whereas it is appropriate for the City to endorse certain siting/locational guidelines for cannabis stores, with public input, and provide a City position on the guidelines to the Province; and,

Whereas it is appropriate to delay the selection of an Oshawa store location until public consultations and a zoning review and any required implementation are complete; and,

Whereas on December 13, 2017 Provincial staff advised that the Province would respect any request from the City to delay the site selection process for a cannabis store;

Therefore, be it resolved:

1. That the City of Oshawa requests the Liquor Control Board of Ontario and Province of Ontario to defer the site selection process for a potential cannabis store in Oshawa until the City has completed its public consultation on the proposed siting guidelines and a zoning review and any required implementation.
2. That the Development Services Department prepare a report to Development Services Committee and Council providing information on draft proposed siting guidelines and zoning matters that would be considered during a public consultation process and an outline of the proposed public consultation process which would include, amongst other matters, a public meeting to be held by the Development Services Committee and a communication plan.
3. That the Province of Ontario be requested to address, by July 1, 2018, all outstanding concerns of the City and Region of Durham related to the legalization of cannabis including such matters as the financial impact on the Region and City, the impact on Durham Regional Police and the City’s by-law enforcement staff, the impact on social service agencies and health care services and the impact of cannabis smoke on neighbours and that Mayor Henry send a letter to Prime Minister Trudeau and Premier Wynne outlining these concerns.
4. That a copy of this resolution be provided to Prime Minister Trudeau, Premier Wynne, the Region of Durham, the Association of Municipalities of Ontario, Members of Parliament in Durham Region, Members of Provincial Parliament in Durham Region and all area Municipalities in Durham Region.”

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.



Andrew Brouwer
City Clerk

/ld

cc: Development Services Department
The Right Honourable Justin Trudeau, Prime Minister
The Association of Municipalities of Ontario
The Honourable Erin O'Toole, M.P. Durham
Dr. Colin Carrie, M.P. Oshawa
Celina Caesar-Chavannes, M.P. Whitby
Mark Holland, M.P. Ajax
Jamie Schmale, M.P. Haliburton - Kawartha Lakes – Brock
Jennifer O'Connell, M.P. Pickering – Uxbridge
Kim Rudd, M.P. Northumberland – Peterborough South
The Honourable Tracy MacCharles, M.P.P. Pickering – Scarborough East
Jennifer French, M.P.P. Oshawa
Granville Anderson, M.P.P. Durham
Lorne Coe, M.P.P. Whitby-Oshawa
Laurie Scott, M.P.P. Haliburton – Kawartha Lakes – Brock
Joe Dickson, M.P.P. Ajax-Pickering
Region of Durham
Township of Brock
Township of Scugog
Township of Uxbridge
City of Pickering
Town of Ajax
Town of Whitby
Municipality of Clarington



December 15, 2017

The Honourable Steven Del Duca
Minister of Transportation
77 Wellesley Street West
3rd Floor, Ferguson Block
Toronto, ON M7A 1Z8

The Regional
Municipality
of Durham

Corporate Services
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Don Beaton, B.A.S., M.P.A.
Commissioner of
Corporate Services

Dear Minister Del Duca:

**RE: Regional Response to Metrolinx Draft 2041 Regional
Transportation Plan (RTP) Environmental Bill of Rights
Registry Number 013-1550 (2017-COW-286)
Our File: L00**

Please be advised that Committee of the Whole of Regional Council considered the above matter and at a meeting held on December 13, 2017, Council adopted the following recommendations of the Committee:

- "A) That Attachment 1 to Report #2017-COW-286: Submission to Metrolinx outlining Regional Staff Comments on Metrolinx Draft 2041 Regional Transportation Plan to Report #2017-COW-286 be endorsed as the Region of Durham's position on the draft 2041 Regional Transportation Plan;
- B) That Regional Council recommends that the 2041 Metrolinx Regional Transportation Plan should incorporate Durham's rapid transit priorities including:
- i) Completion of the Bowmanville GO Rail extension by 2024 with electrified service on the northern alignment;
 - ii) Completion of the Durham-Scarborough Bus Rapid Transit Corridor by 2023;
 - iii) Design and completion of the Simcoe Street Bus Rapid Transit Corridor by 2031;
 - iv) Development of GO Rail to Seaton by 2031 in keeping with the Durham Transportation Master Plan; and
 - v) Development of a Regional Transit Service strategy and its implementation along the 407 East Corridor in coordination with Durham Region Transit;

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

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- vi) Light Rail Transit along the Highway 407 Corridor from the Municipality of Clarington to Pearson Airport;
- C) That the Province of Ontario should reinstate municipal elected representation to the Metrolinx Board; and
- D) That copies of Report #2017-DRT-17 of the General Manager of Durham Region Transit be sent to the Minister of Transportation, the President and CEO of Metrolinx, Durham MPPs, and Durham area municipalities.

Please find enclosed a copy of Report #2017-DRT-17 for your information.



Ralph Walton,
Regional Clerk/Director of Legislative Services

RW/ff

- c: P. Verster, President and CEO, Metrolinx
- K. Minaeva, Senior Policy Analyst, Ministry of Transportation
- Tracy MacCharles, MPP (Pickering/Scarborough East)
- Joe Dickson, MPP (Ajax/Pickering)
- Lorne Coe, MPP (Whitby/Oshawa)
- Jennifer French, MPP (Oshawa)
- Granville Anderson, MPP (Durham)
- Laurie Scott, MPP (Haliburton/Kawartha Lakes/Brock)
- N. Wellsbury, Clerk, Town of Ajax
- T. Gettinby, CAO/Clerk, Township of Brock
- A. Greentree, Clerk, Municipality of Clarington
- A. Brouwer, Clerk, City of Oshawa
- D. Shields, Clerk, City of Pickering
- J.P. Newman, Clerk, Township of Scugog
- D. Leroux, Clerk, Township of Uxbridge
- C. Harris, Clerk, Town of Whitby
- B. Bridgeman, Commissioner of Planning and Economic Development
- V. Patterson, General Manager, Durham Region Transit



The Regional Municipality of Durham Report

To: Committee of the Whole
From: Commissioner of Planning and Economic Development
General Manager, Durham Region Transit
Report: #2017-COW-286
Date: December 6, 2017

Subject:

Regional Response to Metrolinx Draft 2041 Regional Transportation Plan (RTP)
Environmental Bill of Rights Registry Number 013-1550

Recommendations:

That the Committee of the Whole recommends to Regional Council

- A) That Attachment 1: Submission to Metrolinx outlining Regional Staff Comments on Metrolinx Draft 2041 Regional Transportation Plan be endorsed as the Region of Durham's position on the draft 2041 Regional Transportation Plan;
- B) That Regional Council recommends that the 2041 Metrolinx Regional Transportation Plan should incorporate Durham's rapid transit priorities including:
 - i) Completion of the Bowmanville GO Rail extension by 2024 with electrified service on the northern alignment;
 - ii) Completion of the Durham-Scarborough Bus Rapid Transit Corridor by 2023;
 - iii) Design and completion of the Simcoe Street Bus Rapid Transit Corridor by 2031;
 - iv) Development of GO Rail to Seaton by 2031 in keeping with the Durham Transportation Master Plan; and
 - v) Development of a Regional Transit Service strategy and its implementation along the 407 East Corridor in coordination with Durham Region Transit;
- C) That the Province of Ontario should reinstate municipal elected representation to the Metrolinx Board; and
- D) That copies of this report be sent to the Minister of Transportation, the President and CEO of Metrolinx, Durham MPPs, and Durham area municipalities.

Report:**1. Purpose**

- 1.1 This report summarizes the key points of the Metrolinx draft 2041 Regional Transportation Plan (RTP) and highlights comments on the plan that were submitted by Regional staff in accordance with the deadline of November 17, 2017.

2. Background

- 2.1 In accordance with the Metrolinx Act 2006, Metrolinx is required to develop and adopt a transportation plan for the regional transportation area and plan, coordinate and set priorities for its implementation. The last transportation plan entitled "The Big Move" was adopted in 2008. Metrolinx must review and update its transportation plan at least every ten years. In the summer of 2016, Metrolinx released a discussion paper on the next RTP for comment. Over the past two years they also conducted research and background studies to support the new draft plan.
- 2.2 On September 29, 2017, the Draft 2041 RTP was posted for public comment on the Metrolinx website. An information posting was placed on the Environmental Bill of Rights Registry (EBR) on October 4, 2017. The document is approximately 200 pages long including the executive summary, body of the report, the Report from the Residents Reference Panel and several appendices.
- 2.3 A public meeting was held by Metrolinx on October 10, 2017 at the Ajax Community Centre. The deadline for receipt of comments was November 17, 2017. The Final Draft of the RTP will be presented to the Metrolinx Board for approval on December 7, 2017.
- 2.4 Once finalized, the RTP will replace The Big Move and shift the planning horizon from 2031 to 2041. This will correspond with the 2041 timeframe of the Growth Plan for the Greater Golden Horseshoe, 2017.
- 2.5 According to the RTP, it "builds on municipal TMPs and integrates them into a more coherent and logical plan for the whole region". The Region is in the process of finalizing its Transportation Master Plan (TMP).
- 2.6 Transportation staff in the Planning and Economic Development Department met with Metrolinx staff as it relates to alignment between the RTP and the Region's Draft TMP. This includes how forecasted growth related to planned and imminent development along the Highway 407/412 and 418 corridors should be factored into the RTP which was brought to the attention of Metrolinx staff on November 8, 2017.
- 2.7 To meet the November 17, 2017 commenting deadline, Regional staff filed the submission to Metrolinx found in Attachment 1. The covering letter notes that the submission had not been reviewed or endorsed by Regional Council due to the short deadline but would be presented to the Durham Region Transit Executive

Committee on November 30, Committee of the Whole on December 6, and Regional Council on December 13, 2017 seeking endorsement.

3. Summary of Metrolinx Draft 2041 Regional Transportation Plan

- 3.1 The RTP is described as “a blueprint for what needs to be done to build an integrated, regional multi-modal transportation system, one that will serve the needs of residents, businesses and institutions until 2041”. The RTP describes the GTHA as a “polycentric” region with 7.2 million residents living in 30 municipalities, with 18 transit agencies.
- 3.2 The second section of the RTP “sets the stage” by describing the legacy of The Big Move and projects completed and currently underway including UP Express, the Mississauga Transitway, four GO Transit extensions on the Kitchener, Barrie, Richmond Hill and Lakeshore West rail lines, and the Davis Drive Bus Rapid Transit (BRT) in Newmarket. It also describes various projects in delivery in the GTHA including Regional Express Rail and the extension of GO Rail to Bowmanville.
- 3.3 The RTP points to significant trends that will influence transportation over the next 25 years. Some of these observations and comments within the RTP include the following:
 - Continuing and changing patterns of growth in the GTHA with more growth in Downtown Toronto, and “while most of the growth in people and jobs will continue to occur in the GTHA municipalities outside of Toronto... suburban centres outside of Toronto, including designated Urban Growth Centres may not see the concentration of Growth envisioned by the Provincial Growth Plan”;
 - An increasing concentration of office development, a major driver of transit use, in Downtown Toronto;
 - Overall, 25 per cent of population growth and 20 per cent of the growth in transit trips to 2041 is projected to be in areas of the GTHA where the current transit mode share is less than 5 per cent;
 - Changing demographics, including how different age groups have different transportation needs;
 - Increasing poverty and cost of housing, and that low income households tend to depend more on transit, but are more likely to live in areas with poor access to frequent rapid transit;
 - The changing nature of work and when people work irregular jobs in multiple locations, they tend to favour the automobile;
 - The role of new technologies and business models including those which respond to “on-demand” needs of customers;
 - The role the RTP can play to reduce greenhouse gas (GHG) emissions through the electrification of GO rail and the adoption of low carbon forms of transportation.

3.4 It further describes a series of challenges that “stand in the way of fully implementing the policies and actions in the Regional Transportation Plan” including:

- The need to better integrate land use and transportation planning, decision-making and investments as “competing objectives have sometimes led to jobs and services being located within areas that cannot support high-quality transit”;
- The need to move people, not just vehicles at the centre of transportation planning;
- The need to focus on the traveller and provide an improved door-to-door experience, no matter what mode of transport they use or what municipal boundary they have to cross;
- The need to establish a fully integrated fare structure and service, especially for travellers between regions (e.g. Scarborough, York and Durham);
- The need for more formal coordination of transportation decision-making among governments and transit agencies;
- The need to provide sustainable and long-term funding tied directly to the RTP. This includes rapid transit projects beyond 2025 and complementary and supporting initiatives from other levels of government to optimize the transportation system, including capital and operating costs, financing and asset management.

3.5 The RTP includes a vision and goals and outlines five strategies with priority actions to be undertaken to deliver the plan. It holds firm to elements of the vision of The Big Move, but refines it to read as follows:

“The GTHA urban region will have a transportation system that supports complete communities by firmly aligning the transportation network with land use. The system will provide travellers with convenient and reliable connections and support a high quality of life, a prosperous and competitive economy and a protected environment.”

3.6 Under this broader vision, the RTP adopts three goals:

- strong connections,
- complete travel experiences and
- sustainable communities.

These are based on inputs from scenario planning, the development of regional traveller persona and findings from focus groups and the Residents Reference Panel.

3.7 The RTP calls for moving beyond The Big Move with Five New Strategies:

3.8 Strategy #1: Complete the Delivery of Current Regional Transit Projects

A number of Priority Actions have been included as part of this Strategy which are of significance to Durham Region, including the development of GO Regional Express Rail with frequent all-day and two-way service as well as the extension of GO Rail to Bowmanville. The completion of 15 other transit projects that are In Delivery (under construction or in the engineering design stage) and 13 projects that are In Development (in the planning and design stage) will extend the reach of transit via subway, Bus Rapid Transit, Light Rail Transit and GO Transit.

3.9 Strategy #2: Connect More of the Region with Frequent Rapid Transit

Strategy 2 is focused on extending the reach of frequent rapid transit and connecting various parts of the GTHA with a Frequent Rapid Transit Network (FRTN). A FRTN is viewed as the logical approach to moving people across a polycentric region and includes:

- GO 15 minute all day service;
- Frequent Regional Express Bus (restructuring of routes to link transit hubs and Urban Growth Centres without the need to travel to a downtown hub);
- Subway, Transitway, LRT and BRT (to fill gaps in the network and address capacity needs forecasted to 2041);and
- Priority Bus (using transit priority measures such as signal priority at intersections, semi-exclusive or shared rights-of-way etc.).

The RTP also includes a Priority Action within this Strategy to "Improve access to airports, prioritizing transit for passengers and workers", but the RTP is silent on the planning and potential for a new airport in Pickering.

Meeting travellers' needs to 2041 will require further expansions to GO Regional Express Rail, other surface transit systems and subways.

3.10 Strategy #3: Optimize the Transportation System

The RTP indicates that optimizing the transportation system in the GTHA means making the most of what we have. Within the RTP, this refers to initiatives that include:

- Integrating fares and service across the region so travellers can move seamlessly from one transit system to another without paying double fares;
- Planning for the "first and last mile" of the traveller's journey including such measures as micro-transit, carpooling, walking and cycling;
- Focusing on the traveller's experience through a fully coordinated and enhanced suite of travel options from different providers including universal, barrier-free access and integrating design excellence into transportation and transit facility planning;

- Applying Transportation Demand Management (TDM) strategies to shift travel times to best use available capacity in the transportation system;
- Expanding the High Occupancy Vehicle (HOV) network;
- Managing roads and highways to support transit (through such measures as signal coordination, managed lanes, signal coordination, centralized monitoring, etc.);
- Optimizing road and rail capacity for freight movement.

3.11 Strategy #4: Integrate Land Use and Transportation

The RTP acknowledges that as the transportation systems expands, there is a great opportunity to create more complete and connected communities that are supportive of transit, walking and cycling. To achieve the vision for the region, land use decision-making must align with transportation planning and investment. The RTP contains actions to better integrate land use and transportation planning, especially around transit stations and mobility hubs. A series of Priority Actions are included to advance this Strategy, including the following:

- Enacting regulations under the *Metrolinx Act* to create a Transportation Planning Policy Statement to provide the RTP with legislative status;
- Enacting regulations under the *Metrolinx Act* to formalize the role and status of municipal Transportation Master Plans to align with provincial land use and transportation objectives including the RTP;
- Making provincial investments for transit contingent on corresponding transit-supportive planning by municipalities being in place;
- Focusing development on Mobility Hubs and Major Transit Station Areas along Priority Transit Corridors;
- Evaluating financial and policy based incentives and disincentives to support transit oriented development;
- Completing the regional commuter cycling network;
- Embedding Transportation Demand Management (TDM) into land use planning and development;
- Rethinking the future of parking; and
- Supporting school travel programs to encourage future generations of pedestrians and cyclists.

3.12 Strategy #5: Prepare for an Uncertain Future

The RTP acknowledges that we are in a state of constant and accelerated change, and need to address this in planning for transportation in the future. Priority Actions outlined in the RTP include:

- Developing a regional framework for on-demand and shared mobility;
- Developing a region-wide plan for autonomous mobility;
- Coordinating across the region to address climate resiliency;
- Preparing for a future with low carbon mobility options;

- Developing a regional transportation big data strategy;
 - Partnering for innovation.
- 3.13 This summary outlines many of the key initiatives that Metrolinx has included in the RTP. The RTP notes that significant funding, legislative and regulatory framework changes will be needed to make full implementation possible.
- 3.14 The RTP predicts a number of outcomes that are expected to result if the suite of projects and programs that the Plan describes is fully implemented. Some of the anticipated changes include:
- increasing the Frequent Rapid Transit network from less than 70 km in 2011 to over 1,600 km by 2041,
 - increasing the HOV or HOT lanes from just over 70 lane-km to over 1,100 lane-km, and
 - increasing transit mode share from 14.2 per cent to 14.7 per cent and daily peak period transit trips from 1.2 million to 1.9 million per day.
- 3.15 Finally, in a section entitled “Making it Happen” the RTP describes the GTHA as becoming one of the world’s great urban areas. However, “the current way of making decisions on transportation in the region is fragmented and inconsistent...and the funding of transportation systems is unpredictable, uncoordinated and without a plan for sustainability.” It further indicates that “it is imperative to rethink how decisions about regional transportation are made and how the transportation system is financed.” The RTP provides recommendations to support regional transportation decision-making that includes:
- reviewing roles and responsibilities of the players,
 - agreeing on standards of evidence, methods of forecasting and project evaluation, and
 - developing processes with clear decision points for major projects.
- 3.16 The RTP concludes with recommendations that are intended to improve regional decision-making including:
- Reviewing regional transportation decision making processes to “best ensure that elected municipal leaders contribute effectively to decision making”;
 - Establishing a formal mechanism to convene provincial and municipal land use and transportation planning officials with the goal of identifying opportunities and making recommendations to improve the integration of land use and transportation;
 - Establishing a formalized mechanism to convene provincial and municipal officials to identify region-wide policies to attain excellence in the provision of the traveller experience, including fare and service integration;
 - Aligning the Metrolinx planning area, the GO Transit Service Area and the Growth Plan Area for the Greater Golden Horseshoe (GGH);
 - Metrolinx being given authority by the Province to play a leading role in

- redevelopment around transit stations; and
 - Every five years, reporting on and reviewing the progress of implementing the RTP so that strategies can be adapted.
- 3.17 As part of the RTP's Next Steps, it states that: "Implementation planning to identify processes, roles and responsibilities, phasing, funding, and other key considerations is also underway to support the region in achieving the vision for the GTHA's transportation system, as presented in the Regional Transportation Plan."

4. Comments on the Draft 2041 Regional Transportation Plan

- 4.1 For the comprehensive list of Regional staff comments and recommendations, see Attachment 1: Region of Durham Staff Comments on the Metrolinx Draft 2041 RTP. Comments from the CAO's Office, Durham Region Transit, Finance, Health, Planning and Economic Development, Social Services and Works departments were included in the development of the submission. Highlights of those comments are presented below.
- 4.2 Compared to The Big Move, the RTP attempts to build a more resilient plan by testing a number of future scenarios. However, the RTP does not have the same rigour of implementation, including timing and costs that formed part of The Big Move. It lacks any priority assessment or timeframes for "Rapid Transit Projects in Development" and other listed projects. As such, the lack of timing and costs places the certainty of future projects into question.
- 4.3 Consistent with the draft Durham TMP, Durham's top rapid transit priorities and preferred timing for these projects were identified as follows:
- Completion of the Bowmanville GO Rail extension by 2024 with electrified service on the northern alignment;
 - Completion of the Durham-Scarborough Bus Rapid Transit Corridor by 2023;
 - Design and completion of the Simcoe Street Bus Rapid Transit Corridor by 2031;
 - Development of GO Rail to Seaton by 2031 in keeping with the Durham TMP; and,
 - Development of a Regional Transit Service strategy and its implementation along the 407 East Corridor in coordination with Durham Region Transit.

In addition, the planned widening of Steeles Avenue, supported by York Region's TMP, remains a critical transportation investment for Durham and York Regions as recommended in the 2009 Durham/Toronto/York Area Transportation Study. Apart from the Region's rapid transit needs along this corridor, Steeles Avenue is slated to accommodate two subway stations along the Toronto/York boundary. Given the complexities of jurisdiction and priorities Metrolinx is urged to facilitate discussions with York, Toronto and Durham to implement the plan.

- 4.4 By limiting the RTP vision statement to the GTHA's "urban region", Metrolinx may

have overlooked rural areas, where transit and travel challenges are unique but still very important.

- 4.5 A shortcoming of The Big Move was that it lacked a commitment by the Province and municipal stakeholders to abide by the Plan. Therefore, a fourth goal was suggested for “building collaboration, consensus and commitment to the plan”. A way to achieve this would be by restoring municipal elected representation to the Metrolinx Board.
- 4.6 In assessing the legacy of The Big Move, the RTP lists many outputs (i.e. activities or facilities that were completed) but does not speak to the effectiveness of these interventions in advancing the goals of The Big Move. Lessons learned from the first decade of Metrolinx’s decision-making and governance processes indicate ways to improve transparency, accountability, evidence-based decision-making, fairness and funding.
- 4.7 The RTP recognizes that a modernized data strategy is important. Lack of current transportation data hinders long-term transportation and transit planning in the GTHA. Regional staff agrees that a modernized data strategy that taps into new data sources and applies technology is critical to support transportation, land use planning, and economic development. The Province is best positioned to lead and fund initiatives to modernize data collection and interpretation for use by Metrolinx and its partner municipalities.
- 4.8 As part of the consultation process in developing the RTP, Metrolinx assembled a Residents Reference Panel of diverse people from across the GTHA including some Durham residents. Staff recommended that Metrolinx should also engage the business community with a Regional Business Panel to capture the perspectives of businesses and the goods movement sector.
- 4.9 The RTP describes the GTHA as a polycentric region and notes that some of the highest growth areas are outside of Toronto. However, many of the strategies and actions in the plan with the highest priority for completion (e.g. RER) continues a mono-centric focus on services to Union Station. Higher priority should be given to linking UGCs outside of the Toronto core and serving high growth areas such as the new communities adjacent to the 407/412/418 corridors in Durham Region.
- 4.10 Staff suggested that the RTP include a priority action on health including designing the system to support health and safety, accessibility and equity of access. The Province should encourage service providers to participate in a central booking platform for inter-regional specialized transit trips.
- 4.11 For some of the initiatives and new services described in the RTP, the roles that Metrolinx, municipalities and local transit authorities would play are unclear. For example, under Priority Actions for Strategy 4, Integrate Land Use and Transportation, Metrolinx wants to play a leading role in development and redevelopment around stations to fulfil the objectives of the Growth Plan and the Draft 2041 RTP. Additionally, Metrolinx would acquire land around stations for the

purpose of transit-oriented development. Planning and infrastructure beyond the boundaries of GO Stations are typically under municipal jurisdiction. Staff recommended that the RTP acknowledge and respect the municipal role and authority in the delivery of planning and transportation infrastructure and services in the GTHA.

- 4.12 With respect to the planned transit network outlined in the RTP, routes shown for new services such as the Priority Bus Network, Frequent Rapid Transit Network and Regional Express buses are broadly consistent with the network identified in Durham's TMP. More detail on time frames, phasing, scope and location, as well ownership and operation of the routes and services would be needed to understand how Durham communities will be supported.
- 4.13 Staff identified several critical omissions from the proposed network and made related recommendations:
- To address the population growth at Seaton where development is now underway, the timing of the Seaton GO Rail be advanced to the first decade of this RTP (rather than beyond 2041);
 - To address the growth in the new communities now developing along the 407, 412 and 418 corridors, the assumptions and modelling and services proposed for these corridors be revisited and a full transit service strategy be developed for them with the support of Durham Region Transit; and
 - Pending a federal decision to proceed with an airport at Pickering, provision be made in the 2041 RTP for planning of groundside transportation to serve the future airport by the mid-2030s.
- 4.14 With respect to cycling networks, to support active transportation routes that cross physical barriers like rail lines and 400 series highways, the owner of the corridors should help fund the crossings.
- 4.15 Staff noted that while fare integration is a component of seamless mobility, service integration is a more critical aspect and suggested ensuring that local transit carriers have access to stations, terminals and carpool lots at no cost as a quick win.
- 4.16 GO RER will bring 15-minute rail service to the Lakeshore East line. At present the majority of passengers arrive by single occupant vehicle and park at the station. The rest (38 per cent) arrive by other modes. The RTP acknowledges that to feed the RER service, the situation will have to be reversed. Local transit is best positioned to fill this gap but has budgetary constraints and competing service priorities. Improved active transit facilities serving the stations will also be needed. The RTP should indicate how Metrolinx will assist local transit providers and municipalities in achieving this objective. Metrolinx should ensure that all policies and practices at its stations are geared toward increasing station access by active transportation and transit.

- 4.17 Within the GTHA, transportation generates about 47 per cent of greenhouse gas emissions, so changes in the sector will be critical in meeting Ontario's climate change goals. The RTP sets no specific GHG reduction targets or timetable. The RTP should include a strategy, not just for reducing GO's operational emissions, but for reducing emissions from all modes of transportation in the GTHA, in support of the Province's goal.
- 4.18 With respect to autonomous vehicles (AVs), staff recommended that Metrolinx should initiate policy discussion and development in the region to ensure that AVs help advance RTP goals and not add to the congestion in the GTHA.
- 4.19 Durham Region supports the priority actions to address governance, decision-making and funding issues. The RTP identifies that transportation agencies similar to Metrolinx in other jurisdictions (e.g. TransLink in Vancouver) generally include municipal representation and have access to dedicated revenue tools. It has long been the Region's position that the Metrolinx board should include municipal elected representation. The Region agrees that transit services need both capital and operating contributions from the federal and provincial governments and additional municipal funding tools.
- 4.20 Staff noted that the RTP could have a stronger focus on changing travel behaviour and building a transit culture especially among young people. More effort and resources would need to be dedicated to support this shift over the 25 years of the RTP.
- 4.21 The RTP contains many worthy projects and initiatives. However, without more detail on phasing, timing, location and scale of projects and services, there is no ability to link funding to the RTP or to know how it will support improved mobility. Development of an implementation plan is outlined as a next step at the end of the RTP. A funding strategy is also to be developed. Engaging municipal partners in that process will be critical. Regional staff recommended that the mandate to undertake this work be included in the RTP.

5. Next Steps

- 5.1 The Final draft of the Regional Transportation Plan "informed by refined technical work and feedback from municipal partners, stakeholders and the public" will be presented to the Metrolinx Board on December 7, 2017.
- 5.2 Following the December 6, 2017 meeting of the Regional Committee of the Whole, staff will informally convey to Metrolinx any changes or additions that Committee makes to the staff submission provided to Metrolinx. Regional staff will reiterate to Metrolinx that the formal ratification of the Committee of the Whole position will not be available until after the Regional Council meeting on December 13, 2017.

6. Attachments

Attachment #1: November 15, 2017 Letter Outlining Regional Staff Comments on the Metrolinx Draft 2041 Regional Transportation Plan (EBR posting: 013-1550)

Respectfully submitted,

Original signed by

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

Original signed by

Vincent Patterson, MCIP, RPP, MEng
General Manager, DRT

Recommended for Presentation to Committee

Original signed by

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



Submitted by email to: theplan@metrolinx.com

November 15, 2017

The Regional Municipality
of Durham

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Garry H. Cubitt
B.Sc., M.S.W., (Hon) LL.D
Chief Administrative Officer

Ms. Leslie Woo
Chief Planning Officer, Planning and Policy
Metrolinx
97 Front Street West
Toronto, ON
M5J 1E6

Dear Ms. Woo:

**Re: Durham Region Comments on Metrolinx Draft 2041 Regional
Transportation Plan (EBR Registry Number 013-1550)**

For fifty years, GO Transit has been an integral part of the transportation system in Durham Region and a valued partner to Durham Region Transit since its inception in 2006. We therefore appreciate the opportunity to comment on the plans for the future.

As an update to the Big Move, the draft 2041 Regional Transportation Plan (RTP) aligns with the Province's Growth Plan for the Golden Horseshoe. The RTP identifies a number of priority initiatives within Durham Region to address future needs. Through its strategies and actions, the RTP also sets the stage for future implementation and funding needs. We appreciate the consultation from Metrolinx staff throughout the process.

However, our review has revealed that there are matters of particular concern to Durham Region which should be part of the RTP in order that our shared objective of delivering improved connectivity can be successfully implemented. Attached is a submission from staff of the Region of Durham that provides more detailed commentary on the RTP.

Due to the constrained timeframe of the consultation, we have not yet presented these comments to our Council for their consideration.

Therefore, this submission reflects Regional staff opinion and does not constitute a position of Durham Regional Council.

Unfortunately, Regional Council's discussion of the draft 2041 RTP will not occur until after your deadline. We will forward these comments to Durham Region Transit Executive Committee on November 30 and Regional Committee of the Whole on December 6 for their review and discussion. Their recommendations will go to Regional Council for ratification on December 13, 2017. After the meeting on December 6, Regional staff will informally notify you if Committee made any substantive changes to the staff recommendations provided in the attached submission.

To build the necessary municipal commitment to this RTP as a statement of shared goals and actions, it would have been preferable to ensure that municipal councils had sufficient time to comment. **We therefore request that the comment period be extended by 30 days and that the Metrolinx Board hold a special meeting in January to approve the plan. This extra time would allow Metrolinx staff to integrate Council-endorsed input into the RTP.**

In the meantime, our attached submission is structured in two parts:

- general comments related to themes and directions in the draft RTP and gaps that need to be addressed, and
- specific section-by-section comments.

We hope you find this helpful as you work toward a final draft. If you have any questions or need additional information please contact Christine Drimmie at 905-668-7711, ext.2029, or by email to christine.drimmie@durham.ca.

Sincerely,

Garry Cubitt

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

cc: The Honourable Steven Del Duca, Minister of Transportation
Phil Verster, President and CEO, Metrolinx

Attachment #1 to Report #2017-COW-286
Durham Region Comments on Draft 2041 RTP

Rob Ford, Chief Administrative Officer, Town of Ajax
Thom Gettinby, Chief Administrative Officer, Township of Brock
Andrew Allison, Chief Administrative Officer, Municipality of
Clarington
Jag Sharma, City Manager, City of Oshawa
Tony Prevedel, Chief Administrative Officer, City of Pickering
Paul Allore, Chief Administrative Officer, Township of Scugog
Ingrid Svelnis, Chief Administrative Officer, Township of Uxbridge
Matthew Gaskell, Chief Administrative Officer, Town of Whitby

Durham Region General Comments on Draft 2041 RTP

Durham's Top Priorities

From a Durham Region perspective, the RTP should include firm commitment to the following priority projects:

1. Completion of the Bowmanville GO Rail extension by 2024 with electrified service on the northern alignment.
2. Completion of the Durham-Scarborough Bus Rapid Transit Corridor by 2023.
3. Design and completion of the Simcoe Street Bus Rapid Transit Corridor by 2031.
4. Development of GO Rail to Seaton by 2031 in keeping with the Durham Transportation Master Plan.
5. Development of a Regional Transit Service strategy and its implementation along the 407 East Corridor in coordination with Durham Region Transit.

We were pleased to see the Bowmanville extension in the "Projects for Completion" list. However, recognizing the growth that is underway and rapid transit corridors required to provide sustainable mobility, the RTP also must incorporate these Durham priorities.

Legacy of the Big Move

The "accomplishments" listed in Figure 4 (e.g. 4200 bike racks installed, 300 members joined Smart Commute, bus bypass lanes introduced) are mainly outputs or activity counts. However, to evaluate the impact of the Big Move, **the question to be answered is not just "what did we do?", but "what changed as a result of these interventions?"** Was congestion reduced? Did commute times improve? **We recommend that the impacts of the Big Move (and subsequent RTPs) in meeting strategic transportation system objectives be assessed.**

The effectiveness of Metrolinx's process of advancing and delivering projects also should be evaluated. Did the process produce strong partnerships, evidence-based decisions, smooth implementation and a balance of service improvements across the GTHA? Did we intervene in a timely manner to leverage opportunities and to shape transportation behaviours before it was too late? Did we follow the plan? Why or why not? Electrified 15-minute rail service on all GO-owned lines and a one-stop Scarborough subway were not stated as priorities in the first 15 years of the Big Move. Did the strategy of constructing huge parking structures that compete with transit service providers at GO Stations help achieve the desired land use or transportation outcomes? **Lessons learned from the first decade of GTHA-wide transit planning and implementation should inform the strategies in the next plan with respect to**

improved governance, transparency, accountability, evidence-based decision-making, fairness and funding.

Draft 2041 RTP

Vision and Goals

The **vision** statement speaks only about the “urban” region despite the fact the GTHA includes a large portion of the Greenbelt. The vision (p. 39) should specifically include goods movement and speak to a system that is not only convenient, connected and reliable but also safe, affordable, accessible and low carbon.

Of the three goals, only the second one (complete travel experience) relates directly to the transportation system and is measurable. The first goal (strong connections) and third (sustainable communities) are not necessarily dependent on transportation (i.e. people can be connected by phone or the web). Transportation connects physical locations and provides physical access for **people and goods**. The focus of goal three should be narrowed to **“sustainable mobility”** and described as “creating an innovative, affordable, low carbon mobility system that supports land use intensification, exploits new technology and adapts to climate change”.

A fourth goal should be added called “building collaboration, consensus and commitment to the plan”. The Residents Reference Panel report recommends a similar goal (p. 43) to sort out questions of appropriate planning jurisdictions, governance, funding, partnerships and decision-making. The current consultation by the Province on a Transportation Plan for the Greater Golden Horseshoe adds to the uncertainty on these issues. **It has long been the Region’s position that municipal elected representation should be restored to the Metrolinx Board. This would be an important step to building collaboration and commitment.**

Data and Growth

The current reliance on the Transportation Tomorrow Survey (TTS) to understand and plan transportation in the GTHA creates an outlook from five years past. This process should be modernized considering the availability of new data sources and artificial intelligence models. Although the RTP refers to significant growth happening in Durham Region, much of this is not reflected in the proposed infrastructure.

By 2041, the Growth Plan predicts Durham’s population will reach about 1.2 million, similar to York’s population today. York Region currently has three GO Rail lines and two north/south freeways (not tolled) connecting the 401 to the 407. By comparison, the rail network shown for Durham by 2041 seems quite underdeveloped and both its north/south freeways are/will be tolled.

Durham staff agrees that a modernized data strategy is essential to support land use planning, transportation planning and economic development. **The Province should lead and fund an initiative to modernize data collection and interpretation for effective use by all the partners to support future planning.**

Regional Traveller Personas and Residents Reference Panel

These two new tools are welcome additions to the planning process for passenger travel. However, business mobility needs and goods movement are barely reflected in the draft RTP. **We recommend that Metrolinx engage the business community in a Regional Business Panel to capture the perspectives of employers, mobile businesses, business travellers and the goods movement sector in the analysis.**

Polycentric Region

In several places, the draft RTP states that the GTHA is already polycentric. Numerous significant urban centres exist outside of Toronto and yet the highest priority project to be completed and continued (RER) has a mono-centric focus on service to Union Station. At the same time the RTP recognizes that some of the highest growth areas are outside of Toronto.

Provincial investment in rapid transit to support and connect all Urban Growth Centres (UGC's) is needed so that they can attract greater concentrations of population and employment in keeping with Growth Plan targets. As noted in the RTP, the presence of frequent rapid transit spurs denser development.

The draft RTP underestimates the transportation challenges that will develop with the Region of Durham over the next 10 to 15 years. **We recommend that:**

- **the RTP incorporate Durham's Rapid Transit priorities (as outlined earlier), and**
- **the Province commit to funding and implementation of those priorities in a similar fashion to the projects being implemented in other GTHA communities and UGCs (e.g. Hamilton, Mississauga).**

Health and Social Impacts of the Draft RTP

Poverty, aging population and housing affordability are raised as background issues and concerns in the RTP. Income disparity is a long standing concern for Durham.

To focus efforts on the health and well-being of travellers in the planning and design of transportation systems, **consider adding a new Priority Action specific to health under one of the five strategies (e.g. Integrate Land Use and Transportation).** The actions would:

- Raise awareness of the health benefits of choosing active forms of travel (walking, cycling) to get to and from destinations.
- Prioritize the development of active transportation routes to and from transit stations.
- Make safety and accessibility a priority.
- Focus on design factors that impact health such as shade structures at transit stations, seating along walkways, adequate lighting, and exposure to greenery and open space.
- Focus on health equity and the removal of physical and financial barriers for riders accessing transportation systems.

To better meet the needs of the future GTHA population, **consider identifying age-friendly community design aspects and AODA¹ principles in the RTP as important features when building transportation systems.**

To support equity and mobility for persons with disabilities, **we recommend that the Province should encourage service providers to participate in a central platform for booking inter-regional specialized transit trips in the GTHA, similar to the system used during the Parapan Am Games.**

To echo the findings of the Residents Reference Panel, **the Province should provide support to low income households to purchase transit fares supporting employment, education, health and social well-being.**

Roles and Responsibilities

The draft RTP creates confusion about who will plan and implement what and where and when and who will finance and operate the systems proposed. The release of the Ontario Ministry of Transportation plan for the Greater Golden Horseshoe (GGH) shortly after the draft RTP adds to the confusion. The relationship between the RTP and the GGH-wide plan needs to be clarified.

In addition, the RTP implies that Metrolinx would play a role in setting standards for active transportation routes to GO Stations, and in land use planning around station areas, both of which are areas of municipal planning authority. The RTP should acknowledge and respect the municipal role and authority in the delivery of transportation infrastructure and services in the GTHA.

Roles, responsibilities and geographic jurisdiction for planning and implementation of projects, from the provincial level right down to the area municipal level, need to be clarified.

¹ AODA = Accessibility for Ontarians with Disabilities Act.

RTP Planned Transit Network/Routes Listed for Durham:

The Priority Bus Network (PBN), Frequent Rapid Transit Network (FRTN) and frequent Regional Express Bus services will help link the trip generators in the 905 communities to each other. We are pleased to see this service-based approach to building ridership in key corridors. It is broadly consistent with the Higher Order Transit Network identified in Durham's 2031 draft transportation master plan released in June 2017. However, clarification is required with respect to the timeframes for development of these networks and who will own and operate them.

The RTP outlines the need for 24-hour transit services to support those travelling for shift work. The Region agrees that such a service is desirable but given the competing demands in Durham to service growth, the Region would require additional operating funding to accelerate its implementation.

As presented, the network plan focuses on what infrastructure and services to build but does not provide insight into their implementation. **Durham Region requests more detail on time frames, phasing, scope, location, ownership and operation of the transit projects and programs listed so that we can understand how our communities will be supported.**

Please see Appendix A: Durham Region Detailed Comments on Draft 2041 RTP for discrepancies on maps and routes and advice on how to revise the FRTN.

What is missing from the proposed transit network in Durham?

The draft RTP was informed by Durham's draft 2031 Transportation Master Plan as released in June 2017. However, the RTP horizon is 2041 so there is a 10-year gap. During this decade, several new communities in Durham Region (Seaton, West Whitby, Brooklin, Kedron, and Columbus) will be built adding 165,000 people and 40,000 jobs by 2041. This growth needs to be supported with frequent transit services in order to achieve an improved transit mode split.

Seaton

The development of the Seaton community is a provincially-driven initiative and should reflect Ontario's imperatives around sustainability and climate change. However, other than the FRTN along the margins of Seaton, no specific transit services near/to Seaton are planned until after 2041. For transit to be seen as a viable alternative to the car by these new residents, the RTP must plan for **frequent service to be established in Seaton as soon as possible since the development is underway.** This new community should be the place where new technologies and service models are tested.

With the planned development at Seaton, along the 407 corridor and in northwest Whitby and Oshawa, the Seaton rail line may generate as much ridership as other corridors being considered for extension. Track condition and ownership of existing rail

lines are equally issues for many of GO's other rail developments. Durham Region's Master Plan envisions the rail service being in place by 2031. The population of Seaton will exceed places such as Grimsby, Innisfil or Acton which have planned and existing GO Stations. **We therefore recommend that the timing of the Seaton GO Rail service be advanced to the first decade of this RTP.**

Highway 407 and 407 Transitway

Highway 407 is the one transportation asset in the GTHA with significant untapped potential and capacity. **The RTP should identify how it could play a larger role in people and goods movement, in relieving congestion on other routes, and in connecting 905 communities.**

However, the impacts of the new 407 infrastructure and the development and expansion of new communities in Seaton, West Whitby, Brooklin, Columbus and Kedron on transit demand are underestimated.

The transit needs related to the anticipated new population (165,000) and jobs (40,000) resulting from development in the 407, 412 and 418 corridors are not supported by the draft RTP. Preliminary 2016 TTS data indicate that a significant percentage of residents in places like Brooklin commute to Toronto now. GO Lakeshore East RER will not be an attractive alternative for these communities given the significant north-south travel time. Regional Planning staff has provided Metrolinx with detailed information on developments, locations, phasing and anticipated population and jobs stemming from the significant growth in these corridors.

Development of the 407 transitway also will support planned development along the corridor in the communities of Seaton, West Whitby, Brooklin, Columbus and Kedron, at the provincial employment lands or at a potential airport. Transitway stations and carpool lots should be developed like rail stations: surrounded by mixed use development, accessible at no cost to local transit and accessible by active transportation.

We recommend that:

- **the assumptions and modelling for the 407/412/418 corridors be revisited,**
- **services proposed along these corridors be clarified, and**
- **a full service strategy be developed for these corridors with the support of Durham Region Transit.**

Pickering Airport

Strategy 2.3 proposes improving airport access to Toronto Pearson and Hamilton Munro airports to meet growing demand. **Plans for services to a future Pickering Airport are not mentioned** even though it is very likely to be a factor prior to 2041.

In June 2013, the Government of Canada announced their approach to developing the federally-owned Pickering Lands which included setting aside land for a potential future airport and the creation of Rouge National Urban Park. To update the current airport site designation and to replace the current *Pickering Airport Site Zoning Regulations*, Transport Canada is now engaged in the regulatory process to:

- Declare a smaller portion of the Pickering Lands an airport site, as defined in the *Aeronautics Act*, subsection 5.4(1); and
- Propose *Pickering Airport Site Zoning Regulations*, under the *Aeronautics Act*, subsection 5.4(2).

These regulations will protect the new, smaller Pickering Airport site for future aviation needs, by ensuring land use and development adjacent to and in the vicinity of the airport site does not interfere with safe aircraft operations.

Recent studies and the presentation by the GTAA to Durham Regional Council on November 8, 2017 indicate that Pearson Airport will reach capacity by the mid-2030s. As such, an alternative should be identified and implemented prior to this date. In 2016, Dr. Gary Polonsky completed a consultation and market sounding on the need for the Pickering Airport for Transport Canada. Subsequently, Transport Canada engaged KPMG to assess the emerging demand for airport services in Southern Ontario. This study is to be completed in 2018. The 2004 Pickering Airport Draft Plan Report (GTAA), included extensive and detailed environmental, traffic and economic studies which could form the basis of an environmental assessment.

We recommend that:

- **like the Big Move, the draft 2041 RTP should also acknowledge the development of a potential future airport at Pickering, and**
- **pending a decision by the federal government to proceed with this airport, provision for groundside transportation planning to serve the Pickering Airport by the mid-2030's be included in the 2041 RTP.**

RTP Cycling Network

With respect to a GTHA wide commuter cycling network, the role of Metrolinx in planning, designing and funding a cycling network needs to be clarified. The RTP notes that "achieving it will require the Province, municipalities and transit operators to establish common standards for design and funding". **As such, the Draft 2041 RTP should make recommendations for sustained provincial funding to assist municipalities in creating commuter cycling networks.**

Durham supports the notion that the cycling network should include direct routes that cross physical barriers to active transportation in our communities such as rail lines and 400 series highways. **We recommend that the owners of these corridors who**

benefit from these rights of way help fund the crossings as part of their rehabilitation, replacement or expansion undertakings.

Similarly, Durham Region supports encouraging school children cycling (and walking) to school but again, **financial support will be needed to ensure safe routes to school and other child/youth destinations.**

Additional detailed comments are provided in Appendix A with respect to aligning the proposed RTP cycling network with the network depicted in Durham's 2031 TMP.

Fare and Service Integration

Fare integration cannot succeed without service integration. However, to date, the discussion with the partner service providers has been on fares. In addition, the fare integration proposal has not presented details and financial implications about how the proposals would affect customers within the Region of Durham. Vast geography and relatively lower population and employment density are a reality for transit service in Durham. As such, "fare by distance" models are unlikely to yield increased ridership or be acceptable to Durham residents.

The more important issue to customers is service integration, meaning timely, easy connections across boundaries so that customers have a seamless experience. The RTP states (p. 34) that full use of new cross-boundary transit routes won't be realized unless we have integrated fares. While this may be a fare barrier for customers crossing the 416/905 line, Metrolinx is reminded that the 905 carriers have offered fare integration amongst themselves for a number of years. **We recommend that the Province focus on working with local transit carriers to implement low-cost, quick-win solutions to improve fare and service integration.** Examples could include the implementation of a co-fare for 416/905 travel, elimination of the co-fare between GO/905 services, and ensuring carriers have access to stations, terminals, and carpool lots at no cost.

As noted earlier, integration of booking arrangements and seamless services for the users of the eight different specialized transit services is vital. **The Province should encourage service providers to participate in a central platform for booking inter-Regional specialized trips in the GTHA.**

Optimize the Transit System

Even if every strategy in the RTP was implemented, the anticipated change in many key indicators (e.g. transit mode share, commute times, greenhouse gas reductions) is minimal. This begs the question whether the RTP includes the right actions and projects. The projects planned in the 905 seem to have much more relative impact on the indicators than the major investments in Toronto. **Some value engineering may be in order to determine the level of effort, cost and commitment that would be**

involved in driving more substantial change. Such work could be the basis for seeking funding from the proceeds of cap and trade.

Figure 23 illustrates that by 2031 parking at GO Stations will accommodate only 38 per cent of forecast GO passengers that will be generated by 15 minute electrified rail service. Sixty-two percent will need to access the station by other modes (up from 38 per cent today). In increased reliance on alternative modes of transportation rather than personal vehicles to access GO Stations is desirable in principle. However, the RTP does not indicate the percentage that each of the other modes (transit, walking, biking and taxi/ridesharing) is expected to contribute and how that will be achieved. **What is the RTP's strategy for developing these other modes to the extent required to fill the gap? The RTP should indicate how Metrolinx will optimize investments to help Durham achieve these outcomes.**

While local transit is best positioned to fill the gap without adding to congestion at stations, serving GO is not their core mandate. Achieving the mode shift will require multiple strategies including improved transit integration, appropriate station design, co-fare arrangements and operational funding support. In many communities, crossing the 401, QEW or rail corridor is a significant barrier to uptake of active modes. **The RTP should indicate how Metrolinx will assist local transit providers and municipalities to improve services and facilities to reach the 62 per cent target.**

Preparing for an Uncertain Future:

Climate Change

Transportation accounts for more than one third of Ontario GHG emissions. The RTP claims it will help meet Ontario's goal of 80% GHG reductions by 2050. However, the current level of GHG emissions from transportation in the GTHA is not mentioned and the RTP sets no target or timetable for reducing those emissions. The efforts described in the RTP seem focused on reducing emissions from GO's fleet of vehicles and their infrastructure projects.

To support **climate change adaptation** in the GTHA, all new/redeveloped bridges and culverts planned by Metrolinx should be designed to minimize flooding due to restrictions in stream flow during extreme rainfall events.

The Region agrees that **Metrolinx services, infrastructure and projects should be evaluated for their potential to reduce GHG emissions, to adapt to climate change and to increase resilience.**

However, an RTP for the GTHA also needs to include policies that support GHG reductions from all forms of transportation in the region including personal and

commercial fleet vehicles. This may be achieved by working in partnership with provincial ministries, businesses, the auto sector and the energy sector.

The RTP should include an overall strategy and target for reducing the GHG reductions from transportation in the GTHA in support of the provincial 2050 GHG reduction target.

Emerging Technologies

“Municipalities in the GTHA have identified a need for a coordinated, regional approach to prepare for changes that new technologies and business models will bring”. Strategy 5 in the draft RTP identifies various public interests and government roles in specific matters such as the safety, standards and codes, licencing.

The Region recommends that the RTP should include a more proactive “big picture” policy discussion on how autonomous vehicles (AVs) can help advance the RTP goals. In particular, what kinds of legislation or policies will be needed to ensure that AVs do not add to the congestion already being experienced in the GTHA and that their usage produces positive social and land use outcomes. Proactive public policy decisions will be needed to shape the outcome we desire as a region.

The RTP should include a process to develop a shared vision of how autonomous vehicles can best support sustainable mobility in the GTHA and start the necessary policy discussion with municipal partners.

Regional Decision Making

Governance

Durham Region supports the strategies to address governance, decision making and funding issues. The discussion should begin immediately since so much of what Metrolinx plans to do hinge on these changes. As outlined in Appendix 4B of the draft RTP, governance and funding models from other jurisdictions generally include municipal elected representation on their governing bodies and all have revenue tools not available to GTHA transit authorities. Since 2009, it has been the position of Regional Council that municipal elected officials should be part of the Metrolinx Board. In February 2015, the GTHA Mayors and Chairs passed a resolution recommending formation of municipal advisory committee to the Metrolinx Board to help restore a municipal voice to Metrolinx decisions. **The Region recommends re-instating municipal elected representation on the Metrolinx Board through the legislated review of the Metrolinx Act. Whether or not it is mandated in legislation, to deliver on the RTP vision, Metrolinx needs to fully engage and collaborate with all of its municipal partners in a respectful, geographically equitable relationship.**

With respect to decision-making, the current Metrolinx project prioritization scheme focuses on optimizing existing assets. This focus makes it difficult for an immature local transit system like the 10-year old DRT agency to compete for project funding. The draft RTP continues this “optimize existing” focus and pushes additional rapid transit expansions in Durham far into the future despite our forecast 90 per cent population growth. **The Region recommends that Metrolinx revise their prioritization scheme to reduce or remove this bias.**

Funding

As outlined in Appendix 4B of the draft RTP, transportation agencies in other jurisdictions all have revenue tools not available to GTHA transit authorities.

The scale of capital investment required for the 2041 plan (not including the projects within the current \$30 billion envelope) is \$45 billion over 25 years plus \$1 billion/year operating. **The Region agrees that transit service needs both capital and operating contributions from the federal and provincial governments.**

The discussion of funding tools refers to principles outlined in the previous 2013 Investment Strategy and says municipalities need more revenue tools. The one new tool available to Durham is an improved transit DC funding formula but this does not address operating costs or the need to grow the system in existing developed areas. **Additional municipal funding tools are needed.**

The Region supports the funding principles including sustainability, transparency and accountability. To ensure that Metrolinx and local transit agencies can use transit to help reduce GHG emissions, the Province should allocate additional money from the carbon cap and trade scheme to expanding and improving transit.

Rethinking Parking

The Region agrees with Priority Action 3.2 which is to “recover the cost of parking at GO stations to help shift trips to modes that do not require parking and allow more people to access new train services”. To be accurate, GO recovers the cost of parking now in the GO rail fare. So, in essence, passengers who do not park and the Province of Ontario subsidize the cost of parking for those who do. **Metrolinx should ensure that all policies and practices at its stations reflect the desire to increase station access by active transportation and transit.**

To ease the transition and prevent ridership loss, the initial “parking fee plus rail fare” would be set to approximately equal the previous “all in” price. Those who park would pay the additional fee for parking with their PRESTO card. Once these costs are separated, they can be administered separately in terms of future pricing. This links

directly to the GO Station Access Plans. As long as additional “free” parking continues to be added, there is little motivation for GO riders to use other modes.

What is missing from the RTP?

Building a transit culture

The view of public transit, particularly in suburban communities, must shift from one of “burden on the taxpayer” to one of “strategic public resource, gridlock buster and vital support to equity and the economy”. The quality and price of service available is critical in attracting riders. We also need to nurture the next generation of transit users (and active transportation users) by attracting youth and students. While much of this is recognized in the RTP, the level of effort and resources invested in these programs should be enhanced.

Changing our travel behaviour from auto-dominated to other modes is in large part a cultural shift. More discussion and work is needed on changing people’s attitudes about transit, about paying for road use or parking, or our society’s choice of workplace locations. **The RTP should apply strategies that use behavioural economics and policy to drive culture change and shift (demand side) behaviour.** This is a generational strategy that is appropriate to include in a 25-year plan.

Time frames, implementation plan, and investment strategy

Other than a group of projects to be completed by 2025, the plan contains no time frames (other than by 2041) for any of the work proposed. Projects are not even notionally described as “short, medium or long-term”. At the very end of the RTP, development of an implementation plan is mentioned, but in the meantime it is not clear who will build, own and operate the transit and active transportation assets. In the absence of the implementation plan, it is premature to comment about the kind of funding mechanisms that will be required.

Without more detail about the phasing, timing, location and scale of proposed initiatives, there is no logical, trackable way to link funding to the RTP. The mandate and strategy to develop an implementation plan and funding strategy, including meaningful engagement of municipalities and other partners, should be included within the RTP.

Appendix A: Durham Region Detailed Comments on Draft 2041 RTP

Page/Reference	Comments
ii	<p>Vision Statement: the word “goods” should be added as one of Metrolinx’s mandates is to consider goods movement as part of its long term planning in the GTHA. Also, the GTHA consists of large areas of greenbelt so the RTP should include rural as well as urban areas. There is also a need to incorporate “safe, accessible, affordable and low carbon”.</p> <p>Proposed revised vision statement: The GTHA region will have a low carbon transportation system that supports complete communities by aligning the transportation network with land use. The system will provide travellers and goods with safe, accessible, affordable, convenient and reliable connections.</p>
11, and throughout	<p>Suggestion to add “GO Transit”: Metrolinx also plans for and operates GO Transit services in the GO Transit Service Area. Sometimes “GO service” is used in the document, while other times “GO Transit service” – suggestion would be to keep it consistent throughout the document.</p>
11	<p>Roles of Government in the RTP – the 8th and 9th bullets should be combined as there is a formatting error.</p>
12	<p>Add “transportation” to: TMPs consider other policy areas including safety, goods movement and transportation demand management that would also benefit from a regional lens.</p>
12	<p>Roles of Government in the RTP – With respect to the 1st paragraph, 1st sentence under “Municipalities”, not all municipalities in the GTHA have a Transportation Master Plan (TMP), at least not at the lower-tier level (e.g., Pickering, Uxbridge, Scugog and Brock). This statement should be clarified to either state “Most municipalities...” or “All upper- and single-tier municipalities...” (assuming that the latter is probably correct). How are municipal transportation plans intended to relate to the RTP and GGH Transportation Plan?</p>
16-17	<p>It would be informative if the funding commitments related to each of these projects were included in the chart so that one</p>

Page/Reference	Comments
	can see how the \$30 billion is being used.
21	Bullet point; "poverty is an increasing concern" – Poverty has always been a concern in our Region. Income inequality is at an all-time high and suggestion would be to re-phrase this point.
22	Key Influences on Transportation – The 1 st paragraph states that "...and a few significant urban centres outside of Toronto are starting to emerge." This statement as it reads is not accurate, as there are many significant urban areas outside of Toronto. Rather, the sentence should be edited to read "...and significant growth in both established and new urban growth centres outside of Toronto is starting to emerge."
43-45	Residents' Reference Panel and Regional Traveller Personas – while these two "tools" are welcomed, Metrolinx should have engaged the business community more in the development of the RTP. Why was there not a "Regional Business Panel"? The voice of the business community, in particular the voice of the goods movement community should be included in the analysis and addressed in the Plan.
61	Strategy 2: Connect More of the Region with Frequent Rapid Transit – Under "Develop coordinated Regional Express Bus Routes", mention should be made to improve connections with other transit service providers at existing and planned commuter lots on the Provincial Highway network, particularly along the Highway 407, 412 and future 418 corridors. There are several planned 407 Transitway stations that should be considered as commuter lot locations and transit transfer points, identified through various EA studies, and the MTO Carpool Lots Opportunity Study (December 2007).
64	Priority Actions for Strategy 2 – Under Action 2.2, a bullet should be added or expanded upon to recommend an update of the MTO Carpool Lots Opportunity Study to better address the Frequent and regular Express Bus Network, in conjunction with MTO. These carpool lots should be developed and supported like rail station. They should be developed in a sustainable way, in partnership with local

Page/Reference	Comments
	transit carriers and accessible to them for no fee.
76	Mention of Ontario Ministry of Transportation Freight-Supportive Guidelines would be beneficial here as the Guidelines help plan for and support goods movement related activities and land uses.
76-77	<p>Strategy 3: Optimize the Transportation System – Under “Optimize the highway and major road and rail network for goods movement”, there should be a reference to ongoing work being conducted under the MTO GGH Transportation Plan and, in particular, reference to planned highway expansion projects such as the Highway 404 Extension as part of a future (2041) goods movement network. These future highways or extensions are missing from Map 8: Proposed Regional Goods Movement Network (for Roads and Highways), which is acceptable as long as this is recognized in the text and dealt with through the GGH Transportation study.</p> <p>What are the intended linkages between the RTP, the Provincial Transportation Plan for the Greater Golden Horseshoe, and the High Speed Rail study?</p>
78, Page A-47, Page 90, Page A-50	<p>Consider adding in a <u>*NEW* Priority Action specific to health</u> under one of the 5 Strategies (suggestion under Strategy 3: Optimize the Transportation System or Strategy 4: Integrate Land Use and Transportation).</p> <p>Focus on the health of travellers in the planning and design of transportation systems.</p> <ul style="list-style-type: none"> • Raise awareness of the health benefits of choosing active forms of travel (walking, cycling) to get to and from destinations. • Prioritize the development of active transportation routes to and from transit stations. • Make safety and accessibility a priority. • Focus on design factors that impact health such as shade structures at transit stations, seating along

Page/Reference	Comments
	<p>walkways, adequate lighting, and exposure to greenery and open space.</p> <ul style="list-style-type: none"> • Focus on health equity and the removal of barriers for riders accessing transportation systems.
<p>Map 5 & Map 6</p>	<p>Proposed 2041 Frequent Rapid Transit Network (5) and Detailed Proposed Frequent Rapid Transit Network (6)</p> <ul style="list-style-type: none"> • We are pleased to see that the FRTN is fairly consistent with the Region's Higher-Order Transit Network identified in the Draft TMP Report (Maps 1A and 1B), which was released in June 2017 and is expected to be finalized by year-end. However, the Draft TMP Report does not include Ritson Road as part of its High Frequency Network, but it is shown as part of the Frequent Rapid Transit Network (FRTN) by Metrolinx. Instead, consistent with the Draft TMP, the corridor should be moved to Harmony Road, between Highway 407 and Bloor Street. Unlike Ritson Road, Harmony Road has full interchanges at both Highway 401 and 407 (including a potential commuter lot and transit transfer point at the Highway 407/Harmony Road interchange), and is designated a Regional Corridor in the Regional Official Plan (i.e., planned to accommodate higher density mixed-use areas). Accordingly, the FRTN for Highway 407 should be extended easterly to Harmony Road and along Bloor Street to Harmony Road. The small section of Winchester Road (between Simcoe Street and Harmony Road), and Taunton Road east of Harmony Road, should be removed. • The mapping of the Highway 2 extension (from Simcoe Street to the future Bowmanville GO Station) is inconsistent between Maps 5 and 6. The alignment in Map 6 should be followed in Map 5, as Map 5 follows the Nash Road alignment easterly up to the future Highway 418, and does not extend easterly to the Bowmanville GO Station.

Page/Reference	Comments
	<ul style="list-style-type: none"> • Map 6 needs to include the future Pickering Airport site • The Region’s Draft TMP Report also shows several corridors which are characterized as High Frequency Bus in Shared Lane with transit priority, but are not identified in Map 5 as part of the FRHN or Map 6 as Priority Bus corridors. These include: Rossland Road/proposed Peter Mathews Drive from Highway 407 to Harmony Road; Westney Road from Taunton Road to Kingston Road; Harwood Avenue from Kingston Road to Bayly Street; Thornton Road from Taunton Road to the future Thornton’s Corners GO Station; Winchester Road from Baldwin Street to Simcoe Street. We also request that the Highway 2 corridor from the future Highway 418 to Regional Road 57/Bowmanville GO Station be added to the network.
Map 8	<p>Proposed Regional Goods Movement Network (for Roads and Highways) – The New Freight Corridor (Conceptual) shown in Map 3: Existing and In Delivery Regional Rail and Rapid Transit Projects is missing from this map, even though it is intended for goods movement. This freight corridor should not only be added to Map 8 for context, but also briefly described in the “Optimize the highway and major road and rail network for goods movement” on pages 76-77 for reference/context. Many readers may not realize that this connection is a “missing link” in the GTHA rail network and is critical for future goods movement by rail around the most built-up areas of the City of Toronto.</p>
83	<p>Strategy 4: Integrate Land Use and Transportation – Under “Better integrate land use and transportation planning”, the 5th paragraph notes that all municipalities in the GTHA have Transportation Master Plans (TMPs). Please refer to above comment on Page 12.</p>
91	<p>Priority Actions for Strategy 4 – Action 4.6 includes wording to “plan, design and construct” a regional commuter cycling network, and in the “Develop a Regional Cycling Network” section (pages 86-89), it is noted that “[a]chieving it will require the Province, municipalities and transit operators to</p>

Page/Reference	Comments
	establish common standards for design and funding.” As such, the Draft 2041 RTP should make recommendations for sustained Provincial funding to help municipalities achieve such networks.
General	Durham supports expanding bike share programs to Durham if there is provincial funding available to assist with implementation.
Strategy 4.7	The DC Act constrains how much a municipality can charge in support of transit. What other funding tools are envisioned to support TDM?
Strategy 4.8	Will Metrolinx be revising their 2016 Station Access Plan to align with the proposed Parking Charter? We suggest that the parking requirements collaboration should be led by the local transit authority and municipality as they have a much better grasp of the combination of access services needed to service their community.
Strategy 4.9	Durham Region supports the notion of direct cycling (and pedestrian) routes that cross barriers like the 400 series highways and railroad corridors. The owners of these corridors who benefit from the right of way should fund the crossing infrastructure.
Map 9	Proposed 2041 Regional Cycling Network – We are pleased to see that the Whites Road Secondary Route section was added to the network, but other comments we provided on the Draft RTP Regional Cycling Network in September have not been incorporated, as follows: <ul style="list-style-type: none"> • Westney Road North – north of Taunton Road, we question why this connection is needed for a commuter-based cycling initiative, as it extends within the rural area. This connection is not part of the Regional Cycling Plan. Instead, Brock Road from north of Highway 7 to Taunton Road should be included as a Secondary Regional Route. • Salem Road, from Taunton Road to Bayly Street – we recommend adding this connection, as there is a

Page/Reference	Comments
	<p>considerable north-south gap between Westney Road and Cochrane Street. This road is contained in the RCP and the Region's Draft TMP. Salem Road provides an important arterial connection to Kingston Road, serves the Uptown Ajax Regional Centre, and developing lands in the Carruthers Creek Employment Area.</p> <ul style="list-style-type: none"> • Grandview Street, from King Street to Olive Avenue – this connection is not on an arterial road, nor is it in the RCP. We recommend changing the north-south connection to King Street from Grandview Street to Townline Road, and extending the facility easterly along Olive Avenue to Townline Road, consistent with the RCP. • Thornton Road, from Taunton Road to Adelaide Avenue – This section should be added as it is planned as a separated cycling facility (multi-use path) in the RCP and Draft TMP, and connects the future Thornton's Corners GO Station and Trent University with the King Street/Highway 2 corridor and future employment lands north of Taunton Road.
<p>Principles for Funding the RTP, 109-110, throughout</p>	<p>The Draft 2041 RTP does not include an investment strategy, but does include a discussion of principles for a long-term strategy. The principles (including sustainability, transparency, accountability, etc.) are welcomed by the Region.</p> <p>The Region recognizes that transit projects will require both capital and operating funding support from senior levels of government and that funding strategies should align with the available funding tools at each level of government. As municipalities have limited tools for funding transit, a greater share of funding should be provided by Federal and Provincial governments.</p> <p>Any forthcoming investment strategy should ensure that revenues collected from Durham Region residents are used for the delivery of services in Durham Region, and not to</p>

Page/Reference	Comments
	<p>subsidize services outside of Durham Region. The strategy should add new revenue tools to assist municipalities in sustainable funding of transit services.</p> <p>In the investment strategy, Metrolinx needs to take care that any fees or levies proposed do not unduly disadvantage GTHA municipalities and businesses compared to those that border the GTHA.</p> <p>It is recommended that Metrolinx undertake a fulsome investment strategy as early as possible to allow sufficient time for consultation with municipalities and for municipal financial planning.</p>
<p>Parking Demand Strategies</p>	<p>The Region supports the implementation of a parking space levy/charge for park and ride facilities at GO Rail stations as an additional source of funds and an incentive for GO Rail passengers to use local bus service as their preferred mode of access to rail stations.</p>
<p>Ownership of Assets</p>	<p>The Draft 2041 RTP does not make it clear who will maintain ownership of transit and active transportation assets after project completions. Ownership of assets should reside with the level of government that is responsible and accountable for their associated service provision.</p>
<p>General</p>	<p>Regional staff provided Metrolinx staff with background information on the Seaton Community in Pickering, including policy context and current status of development from a transportation planning perspective. The Central Pickering Development Plan (CPDP) has a forecasted population of up to 70,000 and employment of 35,000 within the Seaton Community for ultimate buildout, without a specified timeline. By 2031, the CPDP forecasts that Seaton will have 61,000 people and 30,500 jobs. Also included in this background information is a discussion of potential demand for transit on the Highway 407 corridor and Seaton GO Station from the Seaton Community, as well as other growth areas within commuting distance to the station.</p> <p>Regional staff request that more direction be provided in the RTP update in terms of the role and evolution of Highway 407</p>

Page/Reference	Comments
	transit service as a special Regional Express Corridor. Further, we request that the Seaton GO Rail be included station in the recommended transit network prior to 2041, and policy direction be given to undertake an EA for this rail line and specific location/design for the Seaton GO Station.
A-10	We suggest modelling a scenario where all 400 series highways in the GTHA are tolled in an equitable manner to see how traffic would be redistributed.

File: A-2114

December 20, 2017

The Honourable Steven Del Duca, Minister
Ministry of Transportation
Sent via email: sdelduca.mpp.co@liberal.ola.org

Re: Release of Employment Lands along Highway 407 East

Oshawa City Council considered the above noted matter at a meeting held on December 18, 2017 and adopted the following recommendation of the Development Services Committee:

“Whereas the Province has not identified their intentions for the employment lands located along Highway 407 East from Pickering through to Harmony Road in Oshawa; and,

Whereas these lands can be utilized for job creation and growth within the Region of Durham,

Therefore be it resolved that Oshawa City Council request that the Ministry of Transportation release employment lands located along Highway 407 East from Pickering through to Harmony Road in Oshawa; and,

That a copy of Council’s resolution be forwarded to the Ontario Minister of Transportation, the Minister of Economic Development, Employment and Infrastructure, the Minister of Municipal Affairs and Housing, the Region of Durham, the City of Pickering, the Municipality of Clarington, the Town of Whitby, the Town of Ajax and all Durham M.P.s and M.P.P.s.”

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



Andrew Brouwer
City Clerk

/ld

c: Development Services Department
Ministry of Economic Development and Growth
Ministry of Municipal Affairs
Ministry of Infrastructure
Region of Durham
City of Pickering
Municipality of Clarington
Town of Whitby
Town of Ajax
The Honourable Erin O'Toole, M.P. Durham
Dr. Colin Carrie, M.P. Oshawa
Celina Caesar-Chavannes, M.P. Whitby
Mark Holland, M.P. Ajax
Jamie Schmale, M.P. Haliburton - Kawartha Lakes – Brock
Jennifer O'Connell, M.P. Pickering – Uxbridge
Kim Rudd, M.P. Northumberland – Peterborough South
The Honourable Tracy MacCharles, M.P.P. Pickering – Scarborough East
Jennifer French, M.P.P. Oshawa
Granville Anderson, M.P.P. Durham
Lorne Coe, M.P.P. Whitby-Oshawa
Laurie Scott, M.P.P. Haliburton – Kawartha Lakes – Brock
Joe Dickson, M.P.P. Ajax-Pickering



Operations Department Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: General Government Committee

Date of Meeting: January 2, 2018

Report Number: OPD-003-18

Resolution:

File Number:

By-law Number:

Report Subject: Seniors Snow Removal Program

Recommendation:

1. That Report OPD-003-18 be received; and
 2. That Council provide direction related to the fees for the Senior Citizen and Physically Disabled Sidewalk and Driveway Windrow Snow Clearing program for the 2018-2019 season.
-

Report Overview

This report provides an update on the current status of the Senior Citizen and Physically Disabled Sidewalk and Driveway Windrow Snow Clearing program.

1. Background

On October 13, 1992 the Council for the Town of Newcastle passed Resolution #C-667-92 which stated:

“THAT, in accordance with Council’s direction, removal of snow and ice from sidewalks and driveway windrows be provided for senior citizens and the physically disabled...”

The Senior Citizens and Physically Disabled Sidewalk and Driveway Windrow Snow Clearing Program has been offered each winter season since. Over time the program has expanded to include Bowmanville and Courtice as well as the surrounding hamlet areas.

Eligibility

For residents to be eligible for this service, applicants must be 65 years of age or older or be physically disabled, occupy a single family dwelling which fronts a Municipal street in the specified urban areas or the urbanized areas of the specified hamlet’s, and have no able bodied persons under the age of 65 years residing on the property. Senior citizens must provide proof of age; physically disabled applicants must provide a doctor’s certificate.

Service

The sidewalk snow clearing service for participants starts when a snowfall ends and only when there is more than two centimeters of snow on sidewalks. The driveway windrow snow clearing will begin when accumulations reach 15 cm and all snow plowing on all municipal streets has been completed.

Call Out

During the winter season Staff monitor weather and road conditions to ensure that the contractor is called out to perform clearing of sidewalks and windrows to meet both the policy set by Operations Department and the expectation of our residents. Due to weather variations not all areas require clearing at every call out. Winter events that encompass the whole municipality are deemed to be “full call outs”.

Participation Fee

In August of 2009 due to budget issues Resolution C-575-09 was passed resulting in the cancellation of the Senior Citizens and Physically Disabled Sidewalk and Driveway Windrow Snow Clearing Program.

On November 9, 2009 in response to residents, Council passed Resolution #C-664-09 stating:

“THAT, the annual administrative fee for the 2009/2010 Senior and physically disabled Sidewalk/Driveway Snow Clearing Service be set at \$60 per registered property.”

Attachment #1 provides a brief overview of a similar service offered by our neighbouring communities within the Durham Region.

2. Financial

- 2.1 The Senior Citizens and Physically Disabled Sidewalk and Driveway Windrow Snow Clearing Program is provided as an additional service to area residents and is not, nor was it ever intended to be, a core service.
- 2.2 The budget for the Seniors Snow removal Program has been consistently over-spent every year since 2013 inclusive. The main drivers for the additional expenses relate to the increase in the number of registered program applicants and also the requirement for more frequent contracted call-out service. For context, the total number of applicants has increased by 52 between 2013 and 2016 and the frequency of service call-outs has gone up by an average of five (5) over the same period of time.
- 2.3 The current funding model for the program is comprised of a net operating budget of \$35,000 plus an estimated annual revenue of \$15,000. The recovery amount is the annual administration fee of \$60 plus HST, which is charged to each registered applicant. The current annual budget and service recovery amounts have not increased since 2012 and 2009, respectively.
- 2.4 In an effort to address the annual budget shortfalls that have been experienced, the Operations Department has submitted reports to Council in 2011, 2012 and 2014 that have each recommended an increase to the \$60 annual program administration fee. These recommendations, however, have not been supported.
- 2.5 The following table provides details on the actual budget expenditures for the past five years of the Senior Snow Removal Program:

Year	2016	2015	2014	2013	2012
Actual Expense	\$71,302	\$62,672	\$66,329	\$58,354	\$44,513
Actual Revenue	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
Net Cost	\$19,200	\$17,820	\$16,480	\$14,840	\$14,320
Net Budget Shortfall	-\$17,102	-\$9,852	-\$14,849	-\$8,514	\$4,807

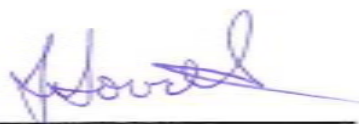
2.6 In September 2017 a new tender was issued for the contracting of the Senior Snow Clearing. The successful bid is 48% higher than previous years and will have a significant impact on actual expenses going forward.


3. Summary

It is estimated, with the new contract that commenced November 2017, the cost of the program will be \$85,554. Of course this is subject to winter conditions and the amount of call outs required to meet the program objectives. At the current rate of \$60 per registrant and based on 300 registrants this will have a net impact of \$68,446.

4. Strategic Plan Application

Not applicable.

Submitted by: 
Frederick J. Horvath
Director of Operations

Reviewed by: 
Andrew C. Allison, B. Comm, LL.B
CAO

Staff Contact: Susan Hajnik, Operations Technician, Operations Department 905-263-2291
or shajnik@clarington.net

Attachment 1 – Senior Sidewalk and Driveway Windrow Snow Clearing Survey

SENIOR SIDEWALK AND DRIVEWAY WINDROW SNOW CLEARING SURVEY

	Pickering	Whitby	Ajax	Oshawa	Clarington
Program in Place	Yes	Yes	Yes	Yes	Yes
Number of Properties Annually	440	800	250 - 300	2100-2500	
Lineal Metre of sidewalk cleared	Not tracked	Not tracked	Not tracked	Not tracked	7,100 m
Do you contract out?	yes	In house	In house	In house (12 sidewalk plows & 2 contracted)	yes
Standards for call out	2" after city plows complete	5 cm (2") for sidewalks 10 cm (4") for windrow	5 cm - 24 hrs after snow stops.	2.5 cm (1") for sidewalks 20 cm (8") for windrow	2.5 cm (1") for sidewalks 15 cm (6") for windrow
How much time allowed for completion	Up to 72 hours	2 nd day after a snow fall	No limit on completion	Must be bare sidewalk by midnight the day after precipitation stops	12 hours from call out
Any fee charged to residents?	\$39.55 (tax included)	no	\$180.80 (tax included) for driveway, sidewalk, windrow & one walkway to door \$33.90 (tax included) for sidewalk & windrow	No charge	\$60.00 +HST