

The Corporation of the Town of Ajax
COUNCIL

Monday, March 8, 2010 at 7:00 p.m.
Council Chambers, Town Hall
65 Harwood Avenue South



Confirmed by: _____

AGENDA

1. **Call To Order**

2. **Disclosure of Pecuniary Interest**

3. **Adoption of Minutes**
 - 3.1 **February 22, 2010 Regular Meeting** 1

4. **Delegation and Petitions / Public Hearings**
 - 4.1 **Presentation OPG Investment Strategy for Nuclear in Durham Region**
Glenn Jager, Senior Vice President, Pickering "A"

5. **Correspondence** 7

6. **Reports**
 - 6.1 **Community Affairs & Planning Committee Report** **None**
 - 6.2 **General Government Committee Report** **March 4, 2010**
(circulated separately)
 - 6.3 **Advisory Committee Reports** **January, 2010** 41
 - 6.4 **Departmental Reports** **March 8, 2010** 65
 - 6.5 **Ajax Public Library Board Report** **None**

7. **Regional Councillors' Reports**
 - 7.1 **Regional Councillor S. Crawford**..... verbal
 - 7.2 **Regional Councillor C. Jordan** 77

8. Business Arising From Notice of Motion

None

9. By-Laws

34-2010	Fire Route for 1801 Harwood Avenue [see Departmental Report i)].....	79
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10. Notice of Motion

11. Other Business

12. Question Period

13. New Business, Notices and Announcements

14. Confirming By-Law 39-2010

15. Adjournment

TOWN OF AJAX REPORT TO COUNCIL

TO: Mayor and Members of Council
FROM: M. de Rond, Clerk
DATE: March 8, 2010
SUBJECT: Items of Correspondence



The following items of correspondence have been received and are attached for Council's information and/or action:

a) E. Coggins: Resignation from Ajax Public Library Board

That the resignation of Elizabeth Coggins from the Ajax Public Library Board be received with regret and that Ms. Coggins be thanked for her services to the library and the Town

b) V. Marshall: Resignation form Ajax Public Library Board

That the resignation of Val Marshall from the Ajax Public Library Board be received with regret and that Ms. Marshall be thanked for her service to the library and the Town.

The following items of correspondence have been received and are attached for Council's information:

i) Region of Durham: Lawrie Road Basement Flooding, Environmental Study Report

ii) Municipal of Clarington: 2010 Ballot Question on Election of the Region Chair

iii) Central Lake Ontario Conservation / Conservation Ontario: Purpose and Overview of Conservation Authorities

iv) City of Pickering: Regional Integrity Commissioner Proposal

v) City of Pickering: 2006 Ballot Question re Region Chair Follow Up

vi) City of Oshawa: Delay Nomination Start Date

vii) Town of Newmarket: Earth Hour Challenge

M. de Rond
Clerk

MdR/lb

January 20, 2010

Mayor Steve Parish and
Members of Ajax Town Council
65 Harwood Avenue S.
Ajax, Ontario
L1S 2H9

Dear Mayor Parish and Members of Council,

Re: Ajax Public Library Board

It is with great regret that I tender my resignation as a Trustee of the Ajax Public Library effective January 31st, 2010. Life is taking me to a different part of Ontario, and therefore I no longer fit within the eligibility parameters.

However, it has been both a challenge and pleasure to have been a party to this transitional time, and to have worked with an excellent cross-section of interested and invested community members, as well as with the competent and truly dedicated staff of the main library and its branches.

I can say without reservation that you have in place an extremely competent, proactive, and indeed hugely likeable CEO and Chief Librarian in Donna Bright. She is known as a highly intelligent and valued colleague among Durham CEOs. Indeed, Ajax has become the envy of other Library Boards in Ontario for our acquisition of Donna, a coup due in no small part to the consultants Feldman Daxon, recommended by John Fleck. Corey Daxon actively went after Donna based on our stated community needs: a competent, proactive, approachable administrator, who understood and valued the goals of the community as set out by Council; who would embrace our community's diversity; and who would seek to appropriately serve a largely commuter population. It delights me to say that already an enhanced level of service is visible.

In recent months, the Board has developed a much better understanding of the Carver model of governance, and has set a schedule for reviewing and tweaking our policies both for easier reading, and to better monitor our annual goals, which we align with those of the Town. As well, we have an advocacy plan, beginning with educating the Board to make better informed decisions, as well as keeping the community aware of the many library services available through a speakers' bureau of Board members and library staff.

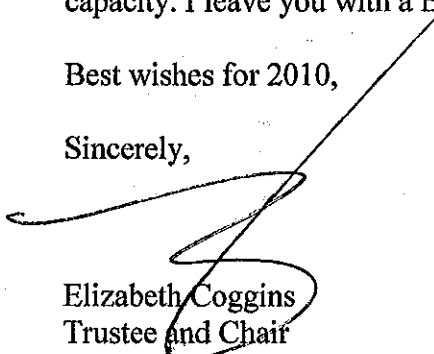
The Ontario Library Board Association (a training and support org.) and Knowledge Ontario (a materials digitizing org.) are engaged in some truly valuable work at the moment, and both Board and Staff are actively involved. A side benefit of this is that it increases the Town's profile and reflects well on the values of the community. As well, the development of a long term plan, with the aid of *Libraries in Transition* consultant Peggy Walshe and her team, is proceeding enthusiastically according to the contract.

When looking for a place to live, my first and second stop is always the library. Drawing on the story of Goldilocks, Pickering was too cold. And while Whitby's library is indeed something of a hot showplace, I chose Ajax for its diversity, its warm and personable small town feel, the attitude of service emanating from small business, and for the brilliant layout of the town, its waterfront and beautiful trails throughout. The library, through its collections, displays, staff, patrons and visible 'Friends' reflected a well-run community –the kind of place that breeds neighbourliness and the opportunity for personal growth.

Politics may sometimes seem a thankless career, but I think that the Ajax Council has done a wonderful job of creating and maintaining the kind of community in which I certainly would prefer to live. Thank you for allowing me to serve Council in such an important community capacity. I leave you with a Board and Staff charged up and keen to move forward.

Best wishes for 2010,

Sincerely,



Elizabeth Coggins
Trustee and Chair
Ajax Public Library

(b)

Ms. Donna Bright, CLEO
Ajax Library Services
Ajax, Ontario.

16th February 2010

Dear Donna:

Due to recent health issues, it has become necessary to curtail my activities – stop and smell the roses. Please accept my resignation from the Ajax Library Board.

I wish to thank the Library Board, Administration and Staff for the tremendous support that they have given me during my many years on the Board and wish them every success in the future.

With my participation in the Friends of the Library, I shall continue to promote and support Ajax Library Services.

Sincerely,



Val Marshall



February 18, 2010

(i)

Town of Ajax Municipal Office
Clerk's Department
65 Harwood Avenue South
Ajax, Ontario L1S 2H9

The Regional
Municipality
of Durham

Works Department

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P.O. BOX 623
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1-800-372-1102
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www.region.durham.on.ca

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

**RE: Notice of Study Completion
Class Environmental Assessment Schedule B
Investigation of Basement Flooding
Lawrie Road Service Area, Town of Ajax**

Please find attached a copy of the Environmental Study Report for the Schedule B, Class Environmental Assessment study for the Investigation of Basement Flooding in the Lawrie Road Service Area, in the Town of Ajax.

Under the Municipal Class Environmental Assessment process, the Environmental Study Report must be made available for public review for a period of at least 30 days.

We hereby request that you keep this report at the Town of Ajax, Clerk's Department and make it available for viewing on request until March 19, 2010. Upon completion of the review period, please return it to the Regional Municipality of Durham Works Department to the attention of the undersigned. Alternatively, it may be kept for your records.

Thank you for your assistance. If you have any questions or require further information please contact the undersigned at (905) 668-7711 ext. 3565.

Yours truly,

Kevin Wilson, P.Eng.
Environmental Services Design

10 FEB 19 PM 2:12

RECEIVED
TOWN OF AJAX



100% Post Consumer

"Service Excellence
for our Communities"



EXCELLENCE IN
ENVIRONMENTAL
CONSULTING
SERVICES

XCG File No.: 3-598-13-08

February 5, 2010

**FINAL
ENVIRONMENTAL STUDY REPORT
INVESTIGATION OF BASEMENT FLOODING
LAWRIE ROAD (AJAX) SANITARY SERVICE AREA**

Prepared for:

REGION OF DURHAM
605 Rossland Road
Level 5, P.O. Box 623
Whitby, Ontario
L1N 6A3

Prepared by:

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3-598-13-08/R_3-12098119_Environmental Study_Ajax-Lawrie_FINAL
02/05/10



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Appendix C	Public Consultation Materials

February 16, 2010

Ms. P. Madill
Regional Clerk
Regional Municipality of Durham
605 Rossland Road East
Whitby, ON L1N 6A3

Dear Ms. Madill:

RE: DIRECT ELECTION OF THE REGIONAL CHAIR

At a recent meeting the Council of the Municipality of Clarington considered the above matter and passed the following resolution:

"WHEREAS the lower tier Municipalities of Oshawa, Ajax and Pickering in the last municipal election placed a referendum question on the ballot to poll the question of direct election of the Durham Regional Chairman;

WHEREAS the public supported direct election in those municipalities at 88 percent of electorate support;

WHEREAS changing the process of electing the Regional Chairman needs a vote of the new Regional Council after the municipal election in order to request the Province to change the Municipal Act.

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Clarington place a referendum question on the ballot to poll the question of direct election of the Durham Regional Chair, and;

THAT this resolution be copied to all Municipalities in Durham and;

THAT Whitby, Brock, Scugog and Uxbridge be encouraged to place a similar question on the ballot for the 2010 election."

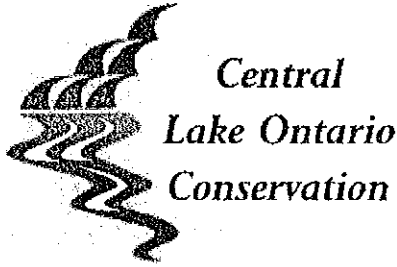
Yours truly,



Patti L. Barrie, CMO
Municipal Clerk

PLB/ta

cc: M. deRond, Clerk, Town of Ajax
T. Gettinby, Clerk, Township of Brock
S. Kranc, Clerk, City of Oshawa
D. Shields, Clerk, City of Pickering
K. Coates, Clerk, Township of Scugog
D. Leroux, Clerk, Township of Uxbridge
D. Wilcox, Clerk, Town of Whitby



Member of Conservation Ontario

100 Whiting Avenue
Oshawa, Ontario
L1H 3T3
Tel: (905) 579-0411
Fax: (905) 579-0994

Web: www.cloca.com
Email: mail@cloca.com

February 18, 2010

- Clerks - Regional Municipality of Durham
- Town of Ajax
 - Municipality of Clarington
 - City of Oshawa
 - City of Pickering
 - Township of Scugog
 - Township of Uxbridge
 - Town of Whitby

Dear Sir/Madam:

The attached letter dated February 8, 2010 from Jerry Ouellette, MPP Oshawa has recently been circulated to municipalities and conservation authorities.

Also attached is a letter of response, dated February 17, 2010, from Dick Hibma, Chair, Conservation Ontario to Mr. Ouellette on behalf of Ontario's 36 Conservation Authorities.

Both of the above items of correspondence were received for information at the CLOCA Board of Directors meeting on February 17, 2010.

I would appreciate your bring the foregoing to the attention of your Council. If further background is required, please contact the undersigned.

Yours truly,

J.R. Powell
Chief Administrative Officer

JRP/kit
Attach. (2)

cc Dick Hibma, Chair, Conservation Ontario
cc Don Pearson, General Manager, Conservation Ontario
cc CLOCA Board of Directors

s:\Russ\2010\Feb18-10 Regional & Municipal Clerks.docx





Ontario
LEGISLATIVE ASSEMBLY

JERRY J. OUELLETTE, M.P.P.
Oshawa

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February 8, 2010

Rick Johnson
Chair
Central Lake Ontario Conservation Authority
100 Whiting Avenue
Oshawa ON L1H 3T3

Dear Rick,

I would like to take this opportunity to thank you and all the Conservation Authorities in Ontario for your valuable work and dedication to ensuring the successful management of watershed-based ecosystem resources, services and land-use.

I understand the importance of consulting with the public and gathering expertise from various organizations and professionals to achieve a balance of the ecological and social impacts that reflect the concerns of all resource users. As former Minister of Natural Resources, I also recognize the challenges of balancing resource user groups in a fair and transparent manner and utilizing the best available science to develop effective land-use policies.

In order to move forward with the most effective land use strategies, we need to ensure that the legislation and regulations governing conservation authorities is the most up-to-date, streamlined and practical as possible. In addition, there needs to be a clear, transparent and decisive protocol to follow.

In an effort to continuously improve and uphold the best practices of our Conservation Authorities, I would appreciate your informed feedback and comments concerning legislation, regulations and the organizational responsibilities of the Conservation Authorities, including the good aspects of the organizations as well as what needs to be changed and how these changes need to be implemented.

Thank you in advance for your careful consideration and valuable input.

Yours Sincerely,

Jerry J. Ouellette, MPP Oshawa
Official Opposition Critic, Natural Resources

CLOCA

10-02-2010

HEPEIWEH



**Conservation
ONTARIO**
Natural Champions

February 17, 2010

Jerry J. Ouellette, MPP Oshawa
Official Opposition Critic, Natural Resources
Room 428, Queen's Park
Legislative Building
Toronto, Ontario
M7A 1A8

Dear Mr. Ouellette:

As you know, Conservation Ontario works on behalf of Ontario's 36 Conservation Authorities. Our CA members have shared your recent letter to them with us and we are responding on their behalf; although we note that some may choose to provide additional comments. We know that you have written to municipal officials as well and expect that those who choose to will respond directly to your inquiry.

Let me begin by thanking you for acknowledging the valuable work done by Conservation Authorities in ensuring the successful management of watershed-based ecosystem resources, services and land-use. Conservation Authorities play a critical role in developing the science which underpins our understanding of the complex interactions of the physical components of the watershed – the land, the water and the living organisms.

Conservation Authorities play a singular role in flood protection and the Province relies heavily on CAs to ensure public safety in relation to natural hazards, making them a critical part of land use planning and development. Our study on the *Business Case for Investing in Flood Prevention and Control* shows that through the public investment of \$2.7 billion in infrastructure and through ongoing regulation of flood prone and hazardous areas, Conservation Authority flood plain management programs, including regulation, save the taxpayers in excess of \$100 million annually.

P.O. Box 11, 120 Bayview Parkway Newmarket Ontario L3Y 4W3
Tel: (905) 895-0716 Fax: (905) 895-0751 Email: info@conservationontario.ca

www.conservationontario.ca

The expertise that CAs bring to the table is a vital component in the development of source protection plans across the Province. *Adapting to Climate Change in Ontario*, a recent report by the Expert Panel on Climate Change, outlines in clear detail the threats to water quality and supply, the potential for increased flooding and erosion due to more frequent extreme weather events, as well as increased drought, and degraded biodiversity. These findings make very clear that Conservation Authorities are - and will continue to be -- essential to the protection of Ontario's water and land resources.

As Section 20 of the *Conservation Authorities Act* states: "*The objects of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.*" Conservation Authorities take this mandate very seriously.

Most importantly, it allows a Conservation Authority to develop a program that responds to the unique conditions and pressures within a particular watershed. This is critical to the successful management that you noted.

Conservation Authorities use a variety of tools to meet their mandate. These include education, stewardship, the provision of science-based advice to municipalities as part of the land use planning process, and the regulation of flood plains, hazardous areas, and wetlands that are key to the function of watershed hydrology.

More than 144,000 hectares of forests, wetlands, flood plains and other environmentally significant lands have been acquired by CAs, providing protection and public access for education and recreation, currently serving more than 5 million visitors annually, contributing greatly to Ontarian's quality of life and economic well being.

As we enter the second decade of this millennium, with greater awareness than ever of the linkages between a healthy environment, a healthy economy and a healthy society, it is ironic yet not surprising that the art of balancing the public interest with individual interests continues to be a focus of discussion and in some cases, outright conflict. How best to manage these apparently competing interests is a challenge for all of society. There should be no debate about the value of this process to our quality of life. But who pays for a healthy environment and how environmental programs should be funded, remains at issue. There is tension from user and permit fees, municipal levies, and provincial funding sources. Despite realizing the benefits, no party wishes to bear more of the costs, particularly in difficult economic times.

Your questions are relevant and timely concerning legislation, regulations and organizational responsibilities of Conservation Authorities. As you know, the Ministry of Natural Resources recently posted on the EBR, a draft of the proposed "Policies and Procedures for Conservation Authority Plan Review and Permitting Activities" (Posted Nov25/09 EBR #010-8243).

This proposed policy resulted from a two year multi-stakeholder consultation involving representatives of the Province, municipalities, the development industry, ENGOs and Conservation Authorities. The consultation was a response to criticism by the development industry that Conservation Authorities were extending their influence beyond their mandate. The

expectation of the participants is that this policy, if approved will provide necessary guidance, rationale and timelines to improve the parties understanding of roles and the process and provide improved transparency and accountability.

It should be noted that the ENGO community position in the review was that Conservation Authorities needed a stronger mandate to protect the environment; this was ultimately reflected in passage of the *Lake Simcoe Protection Act*. Indeed, this position is shared by a number of municipalities.

Conservation Authorities are established under the *Conservation Authorities Act* by a resolution of the majority of municipalities within a watershed. The *Act* has been changed only slightly over its 60 year history, and is still considered a visionary piece of legislation. Conservation Ontario has identified a number of amendments to the *Act* which would bring certain aspects into better alignment with, for example, the municipal election cycle; the ability of staff to issue permits; and a consistent limitation for laying charges under the Section 28 regulations.

As you know, the *Act* was amended in 1996 to eliminate the appointment of Provincial representatives on CA Boards, a move that was seen as being consistent with the diminished level of Provincial financial support which took place at that time. As noted above, tensions continue and stakeholders' positions range from wholesale "dissolution" of Authorities to severely curtailing the role and mandate, to broadening their scope and jurisdiction.

I want to be clear that Conservation Authorities are quite open to any dialogue with the Province, municipalities and other stakeholders which would improve the effectiveness and efficiency of watershed and natural resources management; indeed, we have consistently pursued such discussions over the years. We submit that improvements to the current system can, and should be made in the interest of increasing efficient, effective, transparent and accountable management of our water and natural heritage.

We would be happy to speak in more detail about any specific issues which you may wish to discuss.

Yours truly,



Dick Hibma,
Chair, Conservation Ontario



CORPORATE SERVICES DEPARTMENT

Clerk's Division

Division 905.420.4611

Facsimile 905.420.9685

clerks@city.pickering.on.ca

February 18, 2010

P.M. Madill, Regional Clerk
Region of Durham
605 Rossland Road East
Whitby, ON L1N 6A3

Subject: Notice of Motion – Integrity Commissioner
- File: A-2100-001-10

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on February 16, 2010 and the following recommendations were adopted:

INTEGRITY COMMISSIONER

WHEREAS the Councils of the City of Pickering and other municipalities in the Region of Durham should, and do wish to, maintain accountability and transparency; and

WHEREAS the City of Pickering has a Code of Practice for Members of Council; and

WHEREAS some municipalities have been creating a position of, or obtaining professional services of, an Integrity Commissioner to, where appropriate, review inquiries or complaints with respect to Members of Council and their Code of Conduct or Code of Practice; and

WHEREAS it would be more fiscally efficient and consistent for the municipalities of the Region of Durham to establish and fund a position and services of an Integrity Commissioner for the Region of Durham and its eight municipalities than for each municipality to do so.

NOW THEREFORE the Council of the City of Pickering requests that:

1. The Region of Durham establish the position of, or retain the professional services of, an Integrity Commissioner to serve the Region of Durham and its eight municipalities;

-
2. The mandate of the Integrity Commissioner be to review inquiries or complaints with respect to matters regulated in the municipalities' Code of Conduct or Code of Practice; and
 3. This motion be copied to the Councils of the Region of Durham and its seven other local municipalities requesting their support and where possible be considered in the 2010 Regional budget.

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

Yours truly



Debbie Shields
City Clerk

DS/lr

Copy: Martin de Rond, Clerk
Town of Ajax
65 Harwood Avenue South
Ajax, ON L1S 2H9

Thom S. Gettinby, Clerk
Township of Brock
P.O. Box 10, 1 Cameron St. East
Cannington, ON L0E 1E0

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Debi Wilcox, Clerk
Town of Whitby
575 Rossland Road East
Whitby, On L1N 2M8

CORPORATE SERVICES DEPARTMENT

Clerk's Division

Division 905.420.4611

Facsimile 905.420.9685

clerks@city.pickering.on.ca

February 18, 2010

Jim Bradley, Minister
Ministry of Municipal Affairs and Housing
777 Bay Street, 2nd Floor
Toronto, On M5G 2E5

Subject: Notice of Motion – Direct Election of The Region of Durham Chair
Ratification of the 2006 Ballot Question
- File: A-2100-001-10

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on February 16, 2010 and the following recommendations were adopted:

DIRECT ELECTION OF THE REGION OF DURHAM CHAIR
RATIFICATION OF THE 2006 BALLOT QUESTION

WHEREAS the position of Chair of the Regional Municipality of Durham has considerable responsibility, influence and authority over numerous public policy and service issues affecting all residents, businesses and electors in the Region of Durham; and

WHEREAS the Government of Ontario may determine that the Chair of the Regional Municipality of Durham shall be directly elected by a general vote of all electors in the Region; and

WHEREAS Pickering Council passed Resolution #214/05 that a public meeting and by-law to place the following question on the November 2006 City of Pickering election ballot be scheduled and that the City Clerk initiate the required processes outlined in the Municipal Elections Act:

Should the Council of the City of Pickering approve the following resolution?

"That the Government of Ontario enact a regulation requiring the direct election of the Chair of the Regional Municipality of Durham. YES or NO";
and

WHEREAS this question was placed on the ballot in November 2006 and the result was that 89% responded "yes" supporting the election of the Regional Chair.

NOW THEREFORE BE IT RESOLVED that consistent with the results of the ballot question, the City of Pickering requests that the Government of Ontario enact a regulation requiring the direct election of the Chair of the Regional Municipality of Durham.

AND FURTHER that a copy of this motion be forwarded to the Minister of Municipal Affairs and the municipalities in the Region of Durham.

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

Yours truly



Debbie Shields
City Clerk

DS/lr

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Martin de Rond, Clerk
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65 Harwood Avenue South
Ajax, ON L1S 2H9

Thom S. Gettinby, Clerk
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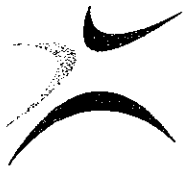
Patti L. Barrie, Clerk
Municipality of Clarington
40 Temperence Street
Bowmanville, ON L1C 3A6

Sandra Kranc, Clerk
City of Oshawa
50 Centre Street South
Oshawa, ON L1H 3Z7

Kim Coates, Clerk
Township of Scugog
P.O., Box 780
181 Perry Street
Port Perry, ON L9L 1A7

Debbie Leroux, Clerk
Township of Uxbridge
P.O. Box 190
51 Toronto Street South
Uxbridge, ON L9P 1T1

Debi Wilcox, Clerk
Town of Whitby
575 Rossland Road East
Whitby, On L1N 2M8



Oshawa
Prepare To Be Amazed

RECEIVED
TOWN OF AJAX

Corporate Services Department
City Clerk Services

10 MAR -1 P12:23

File A-2140/D-1100

February 23, 2010

The Honourable Jim Bradley
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Re: Changes to Municipal Elections Act

City Council considered the matter at a meeting held February 22, 2010 and adopted the following recommendation of the Finance and Administration Committee:

"Whereas the budget is important during each and every year during a Council's term; and,

Whereas a budget should never be used for political purposes;

Therefore be it resolved that the City of Oshawa ask that the *Municipal Elections Act* be changed so that candidates cannot register until after March 30 of the election year, thereby allowing the people's business to be conducted first and foremost; and,

That this motion be forwarded to the Province of Ontario, area municipalities, the Region of Durham, the Association of Municipalities of Ontario, and the Federation of Canadian Municipalities."

By copy of this letter, I am advising area municipalities, the Region of Durham, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities of Council's decision.

If you need further assistance, please contact me at the address listed below, or by telephone at 905-436-5636, extension 2230.

Sandra Kranc
City Clerk

- c. M. de Rond, Clerk, Town of Ajax
T. Gettinby, Clerk, Township of Brock
P. L. Barrie, Clerk, Municipality of Clarington
D. Shields, City Clerk, City of Pickering
K. Coates, Clerk, Township of Scugog
D. Leroux, Clerk, Township of Uxbridge
D. Wilcox, Town Clerk, Town of Whitby
P. Madill, Regional Clerk, Region of Durham
Association of Municipalities of Ontario
Federation of Canadian Municipalities

(vii)

RECEIVED
TOWN OF AJAX



10 FEB 26 AM 10:20

February 23, 2010

Mr. Martin de Rond
Town Clerk
Town of Ajax
65 Harwood Avenue South
Ajax, ON L1S 2H9

Dear Mr. deRond:

RE: Resolution R2-2010 – Earth Hour – Participation and Challenge

I am writing to advise that Resolution R2-2010 regarding participation and challenge with respect to Earth Hour was enacted at the regular meeting of Council on February 16, 2010.

I enclose a copy of the resolution for your action as deemed necessary.

I trust this is satisfactory.

Sincerely

A handwritten signature in cursive script, appearing to read 'Anita Moore'.

Anita Moore
Town Clerk

AM:adm

Enclosures (1)

TOWN OF NEWMARKET
395 Mulock Drive
PO Box 328 STN Main
Newmarket, ON L3Y 4X7

www.newmarket.ca
amoore@newmarket.ca
905.953.5300, ext 2202



February 16, 2010

Moved by: "Regional Council Taylor"

Seconded by: "Councillor Blight"

RESOLUTION R2-2010

WHEREAS climate change is the biggest environmental threat to our planet and a major concern for all Canadians;

AND WHEREAS at exactly 8:30 p.m. on Saturday, March 27, 2010, major cities around the world will turn off their lights for one hour to raise awareness about climate change and to symbolize that, working together, the people of the world can make a difference in the fight against global warming;

AND WHEREAS the event, called "Earth Hour", began in one city just three years ago and has now grown to be the largest environmental movement in history;

AND WHEREAS significant action by political leaders around the world has not taken place despite the efforts of the United Nations Climate Change Summit in Copenhagen last December;

AND WHEREAS strong participation in Earth Hour 2010 will send a message to world leaders to finish the job by quickly completing fair, ambitious and binding targets in order to avert the repercussions of climate change;

AND WHEREAS Canada will be in the spotlight this year as our country hosts the next meeting of the G20 leaders this June – and climate talks will resume;

AND WHEREAS participating in Earth Hour sends a powerful message to every citizen and business around the world that it's possible to take action on climate change and that switching off our lights is just one simple action we can take to help make a difference;

AND WHEREAS in the last two years, Newmarket has been a leader in this effort, with one of the highest rates of reduction in electricity consumption in the GTA;

THEREFORE BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. **THAT** at 8:30 p.m. on Saturday, March 27, 2010, the Town of Newmarket will join other cities around the world in literally "turning out the lights" by shutting off all non-essential lighting in all of its facilities, where feasible, and without jeopardizing safety, for one full hour;
2. **AND THAT**, to be formally recognized around the world as an Earth Hour participant, the appropriate staff will register at <http://wwf.ca/Earth Hour>, the official web site for this initiative;
3. **AND THAT** the Town of Newmarket's participation in Earth Hour will be widely promoted and publicized in order to raise awareness about this important issue and in order to encourage every individual, household and business in Town to join in by turning off their lights for one hour at 8:30 p.m. on Saturday, March 27, 2010;
4. **AND THAT** a copy of this Resolution will be forwarded to every municipality in the GTA, encouraging them to participate in Earth Hour.

"Tony Van Bynen, Mayor"
Tony Van Bynen, Mayor

Ministry of Citizenship
and Immigration

Minister

6th Floor
400 University Avenue
Toronto ON M7A 2R9
Tel.: (416) 325-6200
Fax: (416) 325-6195

Ministère des Affaires civiques
et de l'immigration

Ministre

6^e étage
400, avenue University
Toronto ON M7A 2R9
Tél. : (416) 325-6200
Télééc. : (416) 325-6195

RECEIVED
TOWN OF AJAX



10 MAR -3 AM 12

March 2010

Dear Friends:

LINCOLN M. ALEXANDER AWARD 2010

Every year since 1993, the Government of Ontario has presented the **Lincoln M. Alexander Award** to honour young Ontarians who have demonstrated exemplary leadership in contributing toward the elimination of racial discrimination.

I am pleased to call upon you and ask you to support this program by nominating a young person whom you believe to be deserving of recognition. As the Minister of Citizenship and Immigration, I will join the Lieutenant Governor in officially recognizing the award recipients at a special ceremony at Queen's Park later this year.

Nomination forms and information outlining details of the program, including the deadline date, the selection criteria and the procedures followed in the selection process are available on our website, at www.ontario.ca/honoursandawards

Please read the information provided and take this opportunity to acknowledge a young person from your school or community who has made an important contribution toward eliminating racial discrimination in Ontario.

For further information, you may contact the Ontario Honours and Awards Secretariat at the Ministry of Citizenship and Immigration: 416 314-7526 or 1 877 832-8622 or (TTY) 416 327-2391. The deadline for nominations is May 31, 2010.

Thank you in advance for taking the time to consider a deserving young person for the **Lincoln M. Alexander Award**.

Yours truly,

A handwritten signature in black ink, appearing to read "Eric Hoskins".

Dr. Eric Hoskins
Minister



MINUTES
Heritage Advisory Committee
January 6, 2010
River Plate Room, Town Hall
Meeting No. 1

Committee Members: Ron White
Beverly Briggs
Keith Bachmeier
Suzanne Ouellette
Alan Morgan
Valerie Silveira
Antonella Inglesi-Grossi
Councillor Joanne Dies

Staff: Brenda Kriz, *Records Manager, FOI*
Sarah Moore, *Acting Committee Coordinator*
Nilesh Surti, *Development Approvals Co-ordinator*

Guests: Deanna Young, *Barry Bryan Associates Ltd.*
Bob Martindale, *Martindale Planning Consultants*

Regrets: Karen Valentine

1. Call to Order

Chair Ouellette called the meeting to order at 6:00 p.m.

2. Disclosure of Pecuniary Interest

None

3. Approval of Minutes

Moved by: B. Briggs
Seconded by: A. Morgan

That the regular minutes of the Heritage Advisory Committee held on December 2, 2009, be adopted.

CARRIED

4. Presentations

4.1 St. Francis de Sales

Ms. Catherine Bridgeman, Project Manager, distributed copies of the “*Heritage Impact Statement for St. Francis de Sales Renovations and Additions*”, prepared by Barry Bryan Associates Ltd. She introduced Ms. Deanna Young, of Barry Bryan Associates, who provided a brief review of St. Francis’ reasons for designation as outlined in By-law 46-1999:

1. It is an example of High Gothic Architecture built c. 1869-1971.
2. The church has a distinctive octagonal spire sitting atop a base with four dormers.
3. Its Gothic arched stained glass windows bear the names of early founding families.
4. The steeply pitched roof is marked on both sides by three rose-coloured trefoil windows.
5. The structure embodies the work of architect Henry Langley.
6. St. Francis de Sales Church is a key landmark in Pickering Village; giving meaning to the name of the street upon which it is situated.

Ms. Young discussed how the architects plan to integrate and conserve the church’s heritage features by way of renovation. She shared summary results of the assessment of the proposed renovations, rehabilitation and building addition reviewed using the “*Standards and Guidelines for the Conservation of Historic Places in Canada*”. Overall, the proposed renovations, rehabilitation and building addition are compliant with the standards. One exception noted was the use of granite masonry to replace the buildings perimeter base, which was required for durability.

Ms. Bridgeman noted that a window condition audit of the stained glass windows had been conducted, which included an evaluation of future preservation management. She also presented an updated conceptual image of the church’s proposed addition.

Ms. Young discussed the Impact Statement’s concluding comments and noted that the proposed addition results in a minimal intervention of the building, and does not take away from its character defining elements. The use of glass for the new addition will provide an accessible and visible street view and the Church property will maintain a prominent landmark status in Pickering Village.

4.2 Hicksite-Brown Cemetery Update

Ms. Kriz noted that the Hicksite-Brown Cemetery, located on the property directly north of the Cinnabar Kennels, is owned by the Society of Friends, who has made notice of their intent to abandon the land. The transfer of the property’s ownership to the Town is in progress.

Currently, Town Operations and Environmental Services staff access the property through the easement agreement with Cinnabar Kennels via the west portion of the property. The Town intends to enter into an easement agreement with RioCan, owner of the property, immediately west of the cemetery, in order to allow access through the RioCan parking lot.

Ms. Kriz also noted the property holds a \$10,000 trust fund for its maintenance and repair. She is looking into whether the funds can be used to offset the cost of creating an entrance through the RioCan parking lot. She noted that Mr. Gary Muller, Manager of Planning, had contacted RioCan and that they support granting property access to the Town via the parking area. It was noted that the proposed entrance will have minimal impact on the surrounding environment.

4.3 244 Kingston Road – McKay House Follow-up

Ms. Kriz advised that submission of the designation report to the General Government Committee (GGC) was deferred from December at the request of RioCan. The report has been re-scheduled for the January 21, 2010 GGC.

4.4 Resignation of Faiza Ghafoor

Chair Ouellette advised that Ms. Ghafoor had tendered her resignation as a member of the Heritage Advisory Committee and that a letter of thanks had been forwarded to her.

5. Standing Items

5.1 Municipal Updates and Applications

Mr. Surti distributed plans for the Committee to review regarding a site plan application received for 41 Church Street South. He noted that the property is adjacent to two properties listed on the Heritage Property Inventory, 49 Church Street South and 55 Church Street South. He will bring further details of the application to the February meeting.

For the Committee's information, Mr. Surti also distributed a Status Update report regarding the Certificate of Approval for Index Energy Mills, as a follow-up to the presentation by Mr. Muller at the November 4, 2009 Heritage Advisory Committee meeting.

Mr. Surti advised that the Committee's comments regarding the proposed retrofit to 409 Kingston Road West, as presented at the December 2, 2009 meeting, had been forwarded to the architect for consideration. The Town will continue to work with the architect on the detailed design. Mr. Surti agreed to provide further information regarding the status of the retrofit at a forthcoming meeting.

5.2 Work Plan

Ms. Kriz reviewed the assignment status of the Heritage Inventory Assessment and emphasized the urgency for its completion in order to allow for sufficient evaluation time prior to Council's consideration. She discussed the intent to prioritize the properties on the Wish List. She also noted that the opportunity to include the Inventory as part of the Official Plan which will provide the Town with more authority to protect properties should the need arise. Ms. Briggs accepted the assignment of #51-60 on behalf of Ms. Ghafoor. Ms. Kriz addressed questions from the committee regarding the completion of the inventory sheets

as well as the evaluation process. She agreed to send out the form template to the committee via e-mail.

Ms. Kriz advised that the final list of locations participating in Doors Open had been sent to the Ontario Heritage Association (OHA) and that agreements had been distributed to all participating properties:

- Simcoe Point Cemetery
- Friend's Cemetery
- St. George's Anglican Church
- Quaker Meeting house
- St. Francis de Sales Church
- Gordon House
- The Glenn (private residence)
- Post Hill
- Mckay House
- Ajax Downs/Slots
- Ajax Town Hall
- Ajax Fire Headquarters
- St. Nedela's Church

Ms. Kriz noted that she is awaiting the designation report for 72 Old Kingston Road (The Field House), and will present it to the Committee once available.

6. Correspondence

6.1 2010 Meeting Dates Reminder

Ms. Moore reminded the Committee of the 2010 meeting date schedule included in the agenda package and advised that the committee will recess for the 2010 election after its June meeting. She noted that if the committee felt it necessary, it could arrange for additional meetings, otherwise it would reconvene in 2011 to correspond with the new term of Council. She advised that the mandate for committee membership may be reviewed and that current members would likely have an opportunity to put forward an application to reconsider their appointment for another 2 year term.

The Committee expressed concern with respect to the potential meeting recess, noting several initiatives on the Work Plan, such as the Doors Open event, were scheduled to take place during that time frame. It was noted that, if necessary, the committee could continue to meet during this time to work on initiatives which were time sensitive.

6.2 Ontario Heritage Week 2010 February 15 to 21

The Committee expressed interest in adding Ontario Heritage Week to the Heritage Advisory Committee Work Plan.

Moved by: V. Silveira

Seconded by: A. Morgan

That the items of correspondence identified on the January 6, 2010 Heritage Advisory Committee agenda be received for information.

CARRIED

7. Update from Council

Councillor Dies discussed the recent fire that damaged All Saint's Anglican Church in Whitby and suggested the committee send a letter of condolence to Whitby's Local Architecture Conservation Advisory Committee. Ms. Moore agreed to prepare a letter on behalf of the committee for Chair Ouelette's review.

Councillor Dies agreed to follow-up with Ms. Bridgeman regarding a tour of St. Francis for the Committee.

8. New Business

8.1 Heritage Canada Foundation Communiqué

Ms. Kriz provided an overview of a recent HCF Communiqué regarding the demolition of the Downsview Hangars. She noted that the Hangars were constructed in 1943 and were designated in 1992 for the role they played in Canadian aircraft production during the Second World War. Due to the property being owned by the Department of National Defence (DND), the site can be demolished. Attempts had been made to stay the demolition but DND has indicated that it intended to proceed. Mr. Morgan advised of a similar situation regarding the demolition of the 8-wing Hangars in Trenton, which also were designated and later demolished at the request of DND.

8.2 Ajax Archives Update: HMS Ajax Archive Item – Gavel and Base

Ms. Kriz shared information regarding an e-mail received from a former Ajax resident advising of a gavel and base made from reclaimed wood from the 7th HMS Ajax, priced at \$950.00 USD. The Committee expressed interest in acquiring the item. Mr. Bachmeier agreed to look into the authenticity of the item and report back to the Committee.

Ms. Kriz noted that there currently is no budget to acquire such items but once the Ajax Archives is formally established there may be the opportunity to participate in grant applications and funding through the Archive Association of Ontario. Ms. Kriz noted that she would be presenting the Ajax Archives Documents to the Management Committee this month.

8.3 Inclusion of Industrial Properties on Heritage Registry

Mr. White proposed the inclusion of industrial properties as part of the Heritage Property inventory List. Ms. Kriz and Councillor Dies agreed, noting that once the assessment is

complete, the Committee will evaluate the list and determine what properties listed are obsolete and/or missing.

8.4 Archive Donation

Mr. White noted that his brother, Mr. Bob White, is a resident artist in Ajax who has created many pen and ink drawings for use by the Town, most notably those which are part of the display at the Veteran's Point Gardens. He expressed interest in donating the original sketches to the Ajax Archives.

9. Adjournment

Moved by: A. Inglesi-Grossi
Seconded by: A. Morgan

That the January 6, 2010 meeting of the Heritage Advisory Committee be adjourned (7:25 p.m.).

CARRIED



MINUTES
Recreation, Arts and Culture Advisory Committee
January 13, 2010
Large Board Room, ACC
Meeting No. 1

Committee Members:	Jeremy Barchman Jessica Black Councillor Joanne Dies Natasha Pierre Shannon Mack Gilbert Estridge
Staff:	Robert Gruber, <i>Manager, Community and Cultural Development</i> Sarah Moore, <i>Acting Committee Co-ordinator</i>
Guests:	Catherine Bridgeman, <i>Project Manager</i> Robbie Prochilo, <i>Community Recreation Coordinator – Youth Development & Adults</i> Breyan Sinnot, <i>Youth Engagement Committee Member</i>
Regrets:	Cathy McGill, Phil Pomeroy, Matt Bell, Wanda Muir

1. Call to Order

Acting Chair Black called the meeting to order at 6:15 p.m.

There was no quorum for this meeting.

2. Disclosure of Pecuniary Interest

None

3. Approval of Minutes

With the consent of all members present, the minutes of the Recreation Arts and Culture Advisory Committee held on December 9, 2009, were approved.

4. Presentations/Discussion Items

4.1 Youth Engagement Committee Update

Mr. Robert Prochilo, Community Recreation Coordinator – Youth Development & Adults, introduced Youth Engagement Committee (YEC) member, Breyan Sinnot, who provided the Committee with a report of the YEC's 2009 events and achievements. Ms. Sinnot noted that

in October 2009, the Town received Gold Status recognition as a Youth Friendly Municipality in a presentation at Queen's Park. Mr. Prochilo explained the criteria for achieving such recognition and the goal to reach Platinum Status by meeting 16 out of 16 established requirements.

Ms. Sinnot outlined activities in which the YEC participated which included:

- Youth Week programming
- Surveying Youth respondents
- Haunted House at the Ajax Community Centre Youth Room
- Christmas Food and Toy Drive
- Volunteering at the Annual Veronica Veron Christmas Dinner

Ms. Sinnot advised that the YEC would continue its partnership with the Town through initiatives such as the Youth Spaces Study, Youth Week events and would be involved with programming for the St. Francis Centre, once completed.

The Committee congratulated the YEC on their efforts and accomplishments.

4.2 Memorial Outdoor Pool

Ms. Catherine Bridgeman, Project Manager, provided an update on the renovation of the Memorial Outdoor Pool. She noted that the pool was constructed in 1962 and remains the only outdoor swimming pool location in Ajax.

She reviewed the site plan for the pool, which will remain in the same location as it is currently situated. The plan includes replacement of the pool tank, decking and filtration system. Ms. Bridgeman advised that the existing fencing around the perimeter of the site will be upgraded. The materials used for the renovations will compliment those used in the construction of Town Hall and the Main Branch Library.

She noted that, through consultation, it was determined that the need for increased on-deck shade coverage was a priority. Plans to replace the tot-pool with an interactive spray pool feature as well as increased viewing areas were also discussed. She noted that the proposed teaching peninsula, which divides the shallow and deep waters of the pool, will allow for multipurpose aquatic programming.

Ms. Bridgeman also presented information on a proposed café to be situated outside of the south-west corner of the pool, near the Library. She reviewed the open-concept pavilion design, which plans to enhance the viewing area for lifeguards as well as include on-deck showers, accessible washrooms, family changing areas and lockers.

She advised that the Memorial Outdoor Pool will be closed for 2010 and will reopen in the summer of 2011.

The Committee shared suggestions for increased on-deck shading, such as canvas canopies and collapsible beach umbrellas, as well as a pergola or canopy for the exposed entrance area. The Committee questioned whether the new design will incorporate any environmental elements. Ms. Bridgeman noted that LEED components are being looked at

where feasible. She advised that information on the Public Open House is forthcoming and would be shared with the committee.

4.3 Volunteer Recognition Awards

Mr. Gruber, Manager, Community and Cultural Development, distributed nomination packages for the 2010 Volunteer Recognition Awards. He identified this year's theme as "Celebrating the Gems of our Community". The deadline for nominations is March 12, 2010. Forms will be distributed to volunteer-based community groups, service clubs, Town advisory committees and will also be available at various Town facilities. He advised that Mr. Andrew Norris, Community Development Coordinator, has requested the participation of at least two committee members to sit on the adjudication committee. Ms. Mack, Ms. Pierre and Ms. Black volunteered to assist and Mr. Gruber agreed to forward their contact information to Mr. Norris.

4.4 Tour of St. Francis de Sales

Councillor Dies extended an invitation to the Committee to participate in a tour of St. Francis de Sales with the Heritage Advisory Committee on Thursday January 28, 2010. She noted it would provide the committee with the opportunity to see the restoration development first-hand. Once the interior renovation is midway to completion, she suggested the committee participate in a follow-up tour. Ms. Moore agreed to send out the tour details to the Committee by email.

5. Standing Items

5.1 Report/Information from Staff Liaison

Mr. Gruber reported on December's New Year's Eve Party, noting that the event was attended by approximately 2,000 people. He also discussed details pertaining to February's Winterfest, and provided a brief summary of the event's activities and entertainment.

Mr. Gruber also noted that the Committee's feedback shared regarding the Festivals and Events report during the December meeting has been incorporated into the report, which will be moving forward to Management and the General Government Committee in February.

In order to keep track of upcoming Town events, the Committee requested that a list of 2010 events be provided. Mr. Gruber agreed to provide Ms. Moore with a schedule to be included in the February agenda package.

5.2 Work Plan

Mr. Gruber reviewed the updated 2010 Work Plan and identified key time lines and future presenters. There were no comments on the Work Plan.

6. Correspondence

6.1 2010 Meeting Dates Reminder

With the consent of all members present, the item of correspondence identified on the January 13, 2010 Recreation, Arts and Culture Advisory Committee agenda was received for information.

7. Update from Council

Councillor Dies advised that Council had endorsed the St. Andrew's Park design, which includes plans for a community garden. She noted that Council had approved the name for the renovated St. Francis de Sales Church: "St. Francis Centre" with the tagline: "For Community, Arts and Culture".

8. New Business

8.1 Run Ajax Update

Mr. Barchman informed the Committee that in order to open the event to a wider range of participants, the Run Ajax planning committee is interested in adding a 5K walk/run or 10K run to the half marathon event October 24, 2010. He advised that the committee is looking into trails and road occupancy feasibility and will provide the Committee with updated information as it becomes available.

8.2 Recreation Merchandise

In relation to the Town's physical activity strategies and Recreation, Arts and Culture merchandising, Ms. Black suggested the Town investigate the possibility of selling safety apparel for runners. She provided information on a pouch that unfolds into a reflective vest for individuals to wear in minimal daylight. Mr. Gruber agreed to forward the information to Mr. Mark Brown, Marketing, Sponsorship, and Revenue Generation Coordinator.

8.3 Resignation of Phil Pomeroy as Chair

Ms. Moore informed the committee that Chair Pomeroy had tendered his resignation as Chair of the Recreation, Arts and Cultural Advisory Committee, but still intends to remain a Committee member. She advised that nominations will be received at the February meeting for the election of a 2010 Chair.

9. Adjournment

With the consent of all members present, the January 13, 2010 meeting of the Recreation, Arts and Culture Advisory Committee was adjourned. (7:49 pm).



MINUTES
Environmental Advisory Committee
January 14, 2010
River Plate Room, Town Hall
Meeting No.1

Committee Members: Ray Davies
Karen McDonald
Ashley Bridgeman
Phil Jocz
Camille Gooden
Desiree Fernandes
Marlon Mitchell

Staff: Tim Murphy, *Project Coordinator*
Sarah Moore, *Acting Committee Coordinator*
Andrea Dube, *Staff Liaison for TRCA*

Guests: Debbie Steer, *Trails Committee Chair*
Kevin Tryon, *Manager of Engineering – Development Services*
Mary Williams, *TRCA Durham Stewardship Coordinator*

Regrets: Steve Campbell, Councillor Shaun Collier, Geoff Carpentier,
Devon Saunders, Tracey Chala

1. Call to Order

Acting Chair Murphy called the meeting to order at 6:17 p.m. He introduced Ms. Mary Williams as the Toronto Region Conservation Authority (TRCA) Durham Stewardship Coordinator.

2. Disclosure of Pecuniary Interest

None

3. Approval of Minutes

Moved by: A Bridgeman
Seconded by: K. MacDonald

That the regular minutes of the Environmental Advisory Committee held on December 10, 2009, be adopted.

CARRIED

4. Presentations/Discussion Items

4.1 Trails Update

Ms. Debbie Steer, Chair, Trails Committee, provided an overview of the 2009 accomplishments of the Trails Committee. She noted the completion of a recent membership recruitment which brought the total number of committee members to twelve. She discussed details regarding the committee's participation in Town events such as Winterfest, Pumpkinville, Trailsfest, Celebrate Ajax, and noted the completion of three new interconnected trail bridges on Bayly Street, Audley Road and Taunton Road.

Ms. Steer identified plans to hold the 2010 Trailsfest event in conjunction with the official opening of the Waterfront East Pavilion. She also noted other committee initiatives which included printing of a new trails map and development of a Trails Committee mission statement. Ms. Steer advised that the committee will continue to attend 2010 Town events and will participate in Green Living Days and Trailsfest.

4.2 Environmental Assessment Master Plan for Storm Water Quality

Mr. Kevin Tryon, Manager of Engineering, introduced the Town's Environmental Assessment (EA) Master Plan for Storm Water Quality Study and Concept Design. He identified the key reasons for the study as:

1. Ajax's dependence on Lake Ontario for drinking water and recreation.
2. Ajax's responsibility for meeting water quality objectives for the Great Lakes.

In partnership with the TRCA and Region of Durham, the Town formed a steering committee to develop a Terms of Reference for the management of the EA.

Mr. Tryon discussed Phase 1 of the process, which will focus on the review and evaluation of stormwater quality issues and concerns for each sewereshed in the identified EA area of south Ajax. Once stormwater quality needs and restraints have been summarized, he advised that Phase 2 will work to develop alternative solutions to identified problems, such as lot level improvements, conveyance enhancements and end-of-pipe solutions.

He provided details on a Public Information Centre scheduled for February 25, 2010 at the Ajax Community Centre and noted that the project is scheduled for completion in October 2010.

4.3 Stormwater Stewardship

Mr. Murphy identified two community initiatives scheduled for 2010 to increase awareness of stormwater quality, which included a "Yellow Fish Road" Program and a "Healthy Yards" Event".

Three elementary schools in south Ajax will be participating in the Yellow Fish Program, sponsored by the TRCA. The program is intended to educate students and promote public awareness about pollution entering local water bodies through storm sewers. Storm sewers within the area will be marked with yellow fish decals and program information will be distributed door-to-door to local area residents.

Mr. Murphy provided plans for a Healthy Yards event, which will be held as a seminar for homeowners to learn best practices for what can be done on their own property to be more environmentally conscious. Information topics will include rainwater disconnects, stormwater stewardship, proper pesticide use and pet waste disposal.

The Committee shared several suggestions for social marketing of the Healthy Yard event. There was consensus that information pertaining to rain water disconnection and stormwater stewardship were topics well suited for the event and that including them under the Healthy Yards title will reach a broader audience. In addition to posters, notification in Ajax Today and the News Advertiser, the Committee suggested advertising the Healthy Yard event through various social networks (Facebook, Twitter, etc.), as well as partnering with the Region of Durham or Veridian to distribute educational information sheets in mail-outs to residents.

5. Standing Items

5.1 Operations and Environmental Services Update

None

5.2 Work Plan

Mr. Murphy agreed to report back to the Committee on the Greenwood Stewardship at a forthcoming meeting.

6. Correspondence

6.1 2010 Meeting Dates

Ms. Moore agreed to verify the 2010 meeting dates and distribute an updated schedule to the committee via e-mail.

7. Update form Council

None

8. New Business

8.1 2010 Volunteer Recognition Awards

Ms. Moore distributed nomination packages for the 2010 Volunteer Recognition Awards. She noted the March 12, 2010 deadline for nominations. Forms will be distributed to volunteer-based community groups, service clubs, Town advisory committees and will also be available at various Town facilities. She advised that Mr. Andrew Norris, Community Recreation Coordinator, has requested the participation of at least two committee members

to sit on the adjudication committee. Ms. Bridgeman, Ms. MacDonald and Mr. Mitchell volunteered to assist and Ms. Moore agreed to forward their contact information to Mr. Norris.

9. Adjournment

Moved by: K. MacDonald
Seconded by: A. Bridgeman

That the January 14, 2010 meeting of Environmental Advisory Committee be adjourned (7:23 p.m.).

CARRIED



MINUTES
Accessibility Advisory Committee
January 20, 2010
River Plate Room, Town Hall
Meeting No. 1

Committee Members: Paul Feldman
Allan Angus
Regional Councillor Crawford
Lisa Patel
Marion Dunning
Sepelene Deonarine

Staff: Sarah Moore, *Acting Committee Coordinator*

Guests: Donna Bright, *Chief Librarian*

Regrets: Linn Gilbey, Michelle Brown, Kathreen Smith

1. Call to Order

Chair Feldman called the meeting to order at 6:07 p.m.

2. Disclosure of Pecuniary Interest

None

4. Presentations/Discussion Items

With the consent of all members present Item 4.1 was brought forward on the agenda.

4.1 Ajax Public Library Accessible Customer Service Policy

Ms. Donna Bright, Chief Librarian, provided details regarding the Ajax Public Library Accessible Customer Service Policy that had been distributed as part of the agenda package. The Committee's feedback and comments were requested. She advised that the document was written according to the requirements set out by the *Accessibility for Ontarians with Disabilities Act Accessibility Standards for Customer Service*. She advised that she had reviewed the Town's Accessible Customer Service Policy.

The Committee had no suggestions to share regarding the policy and commended Library Services staff for their excellence in providing customer service to people with disabilities.

Mr. Angus inquired about the potential for Ajax Library Services to partner with the Canadian National Institute for the Blind (CNIB) for access to its library. Ms. Bright acknowledged that the City of Pickering's library provides a similar service and that she will bring forward the suggestion to the Ajax Public Library Board.

She invited the members of the Accessibility Advisory Committee to conduct an accessibility audit of all Town library facilities. She expressed interest in accessibility concerns and the identification of barriers such as placement of furnishings, situation of computer stations, access to various library resources, signage and telephone messaging.

Ms. Bright informed the Committee of the current Library Services Master Plan initiative which includes planned review of elements such as library facilities, services and staffing models. She advised that future public consultation forums will be held and noted that she could arrange for a consultant to attend a future Committee meeting to obtain the Committee's comments.

Chair Feldman provided a suggestion to include computer training classes on various accessibility software programs. Mr. Angus requested that Audible Books materials (CDs) be checked for damage prior to being signed out, as it may avoid patrons finding damaged portions of the Audible Book after leaving the library.

Ms. Bright thanked the Committee for their comments and suggestions and agreed to forward the feedback to staff and the Library Board.

3. Approval of Minutes

Moved by: S. Crawford
Seconded by: M. Dunning

That the regular Minutes of the Accessibility Advisory Committee held on November 18, 2009, be adopted.

CARRIED

4. Presentations Discussion Items

4.2 St. Francis de Sales Restoration Project

With the consent of all members present, Item 4.2 2010 Major Development Projects was deferred to the February 17, 2010 meeting of the Accessibility Advisory Committee.

4.3 Trails Crossing Update

On behalf of the Operations and Environmental Services Department as well as Planning and Development Services, Ms. Moore advised that installation of pedestrian signals at Rossland Road at the Millers Trail has been scheduled for the 2011 Long Range Capital Forecast. The Committee had expressed concern for safe trail crossing at this location during past meetings.

She noted that the project requires Regional and budgetary approval.

4.4 2010 Customer Service Accessibility Report

Ms. Moore reported that the Town had submitted its 2010 Customer Service Accessibility Report to the Government of Ontario on January 5, 2010. She advised that the report is an annual compliance requirement of the AODA Accessibility Standards for Customer Service and covers criteria used during the development of the Town's policy. A copy of the report is available on the Accessible Ajax page of the Town's Website.

4.5 Diversity and Community Engagement Plan Focus Group Session

Ms. Moore informed that Ms. Claire Tucker-Reid and Mr. Alfred Jean Baptiste, consultants for the Town's Diversity and Community Engagement Plan (DACEP), would like to hold a focus group session with the Accessibility Advisory Committee to receive feedback regarding the Plan.

It was agreed that the Committee will meet with the consultants for a one-hour session on Wednesday, February 17, 2010 at 5:30 p.m., with the regularly scheduled Accessibility Advisory Committee meeting to immediately follow. Ms. Moore agreed to forward confirmation to Ms. Jessica Ruhl, Executive Administrator – Recreation, as well an email reminder to the Committee.

Ms. Angus provided a brief update from the DACEP Steering Committee. He noted that an online survey had been developed by the consultants to be distributed to the Members. He agreed to forward survey information to Ms. Moore who would distribute to the group.

5. Standing Items

5.1 Accessibility Expo

Chair Feldman advised that he had not received a response from any Committee members with suggestions for potential invitees to the forthcoming Accessibility Expo. Members were encouraged to forward suggestions by email at their earliest convenience, as the Planning Committee intends to distribute invitations to prospective organizations in early February.

5.2 Work Plan

Ms. Moore reviewed the status of the Work Plan with the Committee, noting 2009 accomplishments, presentations scheduled for 2010, pending initiatives, as well as the addition of the Accessibility Expo. Mr. Angus and Chair Feldman provided details of an example of an accessible website (www.disabilitydoorway.com), which may be of interest during the accessibility review of the Town's website. Ms. Moore agreed to forward the information to the Communications department.

6. Correspondence

None

7. Update from Council

Councillor Crawford distributed copies of a Regional Works Committee Report regarding Accessible Pedestrian Signal Installation. He identified the 21 intersections scheduled for completion between 2010-2014, four of which are located in Ajax.

The Committee discussed concerns with right turn channelization and skewed approaches at intersections. Councillor Crawford discussed details regarding the annual funding requested from the Region to carry out the project.

Mr. Angus informed that any individual may request a review of an intersection they feel may be in need of accessible pedestrian signal installation by contacting the Regional Works department or the City of Oshawa CNIB office.

8. New Business

8.1 2010 Volunteer Awards Nominations

Ms. Moore distributed nomination packages for the 2010 Volunteer Recognition Awards. She noted the March 12, 2010 deadline for nominations. Forms will be distributed to volunteer-based community groups, service clubs, Town advisory committees and will also be available at various Town facilities. She advised that Mr. Andrew Norris, Community Recreation Coordinator, has requested the participation of at least two committee members to sit on the adjudication committee. Ms. Patel and Ms. Deonarine volunteered to assist.

8.2 Bayly Street Bridge Access

Ms. Dunning informed that there is disconnected access to the bridge located on the south side of Bayly Street, west of Westney Road. She advised of a 30ft interruption in the path between St. Nedela's Church and the paved area on the east side of the bridge, making it difficult for individuals using motorized mobility devices to continue on the path.

Councillor Crawford agreed to look into the matter and report back to the Committee at a forthcoming meeting.

8.3 Snow Removal

Ms. Deonarine commented on the Town's snow removal service, noting an issue with the clearing of snow windrows at intersections. The Committee discussed related impediments to access for pedestrians, individuals with strollers and motorized mobility devices.

Councillor Crawford agreed to speak with the Operations and Environmental Services Department and report back to the Committee at a forthcoming meeting.

8.4 Committee Membership

Ms. Dunning informed the Committee, that for reasons of personal health, she may be unable to attend future meetings, but that she does not want to resign and is committed to remaining a member of the Committee.

Ms. Moore reminded the Committee of the meeting recess for the 2010 Municipal Election. She inquired whether the Committee felt the need to recruit new membership to carry through until the meeting recess. It was decided that Committee membership should be increased, with interest in a service group or youth representative.

8.5 Durham Regional Specialized Transit

Chair Feldman inquired whether Councillor Crawford had received an update from Durham Region Transit Specialized Services following their June 2009 presentation. He reviewed the commitments made to the committee by Mr. Ben Chartier, Durham Region Transit Deputy General Manager of Specialized Services. Councillor Crawford agreed to contact Mr. Chartier and report back to the Committee at a forthcoming meeting.

9. Adjournment

Moved by: M. Dunning
Seconded by: L. Patel

That the January 20, 2010 meeting of the Accessibility Advisory Committee be adjourned (7:51 p.m.).

CARRIED



MINUTES
Diversity and Community Engagement Advisory
Committee
January 27, 2010
Boulevard Room, Town Hall
Meeting No. 1

Committee Members:	Regional Councillor Colleen Jordan Councillor Renrick Ashby Glenn Lang Natasha Prasad Khari Gaynor
Staff:	Sharlene Melnike, <i>Community Development Co-ordinator</i> David Forget, <i>Manager, Quality Service and Special Projects</i> Sarah Moore, <i>Acting Committee Co-ordinator</i>
Guests:	Angela Gibson, <i>Senior Transportation Planner</i>
Regrets:	Sam Berton, Mohamed Karatella, Paul Pakyam, Karl Ross, Tass Tsakamas

1. Call to Order

Co-Chair Lang called the meeting to order at 6:35 p.m.

There was no quorum for this meeting.

2. Disclosure of Pecuniary Interest

None

3. Approval of Minutes

With the consent of all members present, the regular Minutes of the Diversity and Community Engagement Advisory Committee meeting held on November 18, 2009 and the special Minutes of the Diversity and Community Engagement Committee meeting held on December 8, 2009 were approved.

4. Presentations

4.1 Ajax Forward – Vibrant Streets

Ms. Angela Gibson, Senior Transportation Planner, provided a status update on the Official Plan Review, regarding its transportation section. She indicated that, with the completion of

the Transportation Master Plan in 2007, it was identified that the projected Regional and local population growth will have a significant impact on transportation. She noted that the Town is taking a proactive approach by focusing on transportation as the movement of people in place of movement of vehicles.

Ms. Gibson advised that the Official Plan's intent is to create cleaner, safer, more vibrant streets. She outlined several of the Plan's objectives, such as:

- Promotion of increased transit use, walking and cycling
- Reduction of auto dependency
- Promotion of land use in key transportation corridors
- Increasing safety for children, people with disabilities and seniors

She discussed details of four plan highlights which included: establishment of a multi-modal transportation network, road systems that ensure safe and efficient movement of people and goods, a well connected and integrated transit system and recognition of walking and cycling as a primary mode of transportation. Ms. Gibson also presented three proposed mapping schedules which identify future and existing roadways, priority transit routes and priority active transportation facilities.

The Committee commented on the Plan's focus to improve transportation within the community and inquired whether the need to optimize commuter routes and connections has been addressed. Ms. Gibson noted that the Region has identified the need for changes to commuter transit connections in Ajax and Pickering and are looking into various options, such as a Rapid Transit system and priority transit routes.

It was suggested that provisions for maximum setback distances from arterial transit routes be implemented for new construction to ensure accessibility to transit routes. Improvements for lighting at pedestrian crossings and transit stops to increase public safety were also proposed.

4.2 Language Line

Mr. Forget, Manager - Quality Service and Special Projects, distributed an information package regarding the Town's Language Line Interpretation Service. He reviewed statistics pertaining to the diversity of Ajax's population.

He discussed the importance of diversity in customer service and provided details of how the language line service operates. The service allows the opportunity to communicate with customers in over 170 different languages. When a phone call or in-person customer comes in requiring services in another language, the Language Line is contacted. The customer, staff member and interpreter are then able to carry out a three-way conversation.

Mr. Forget noted that the service is currently available through the Recreation and Culture department and that it may be expanding to include Library facilities. He advised that notification of the service was communicated to all Town staff and was published in Ajax Today and the News Advertiser Community Pages. Information about the service is also available on the Town's website. Committee members were encouraged to promote awareness of the service especially to individuals speaking Spanish, Arabic, Dari, Taglog,

Urdu, Farsi, Tamil, Mandarin, Hindi and Portuguese, who comprise the majority of non-English language speakers in Ajax.

The Committee shared suggestions for the promotion of the Language Line service which included making bookmarks available at Town libraries, including information in Town welcome packages, contacting the Community Development Council Durham as well as community places of worship.

4.3 Black History Month

Ms. Sharlene Melnike, Community Development Co-ordinator, distributed a flyer designed to promote a Black History Month Celebration event to be held in Council Chambers. She noted that the event is being coordinated by Ms. Esther Ford, Cultural Expressions Gallery, and will include such activities as live music performance, poetry reading and an art exhibition and display by Women's Multicultural Resource and Counselling Centre of Durham. This event will run in partnership with the Town, who will provide a venue in-kind as well as refreshments.

4.4 Resignation of Donald Butler and Paula Smellie

Ms. Moore informed the Committee of the resignation of Mr. Butler and Ms. Smellie. She inquired whether the Committee was in favor of recruiting new members in advance of the summer recess and new term of Council. The members present were in favour of adding to the existing compliment. Ms. Moore agreed to follow-up via email with those members absent from the meeting in order to obtain their feedback.

4.5 2010 Volunteer Recognition Awards

Ms. Moore distributed nomination packages for the 2010 Volunteer Recognition Awards. She noted the March 12, 2010 deadline for nominations. Forms will be distributed to volunteer-based community groups, service clubs, and Town advisory committees and will also be available at various Town facilities. She advised that Mr. Andrew Norris, Community Recreation Coordinator, has requested the participation of at least two committee members to sit on the adjudication committee. Mr. Lang and Mr. Gaynor volunteered to assist and Ms. Moore agreed to forward their contact information to Mr. Norris.

5. Standing Items

5.1 Review of the 2009 Work Plan and Consideration of the 2010 Work Plan

Ms. Melnike reviewed the Draft 2010 Work Plan with the Committee. It was decided that an invitation for a representative from Character Community be deferred until the 2011 plan.

5.2 Diversity and Community Engagement Plan (DACEP) Steering Committee Update

Mr. Gaynor and Ms. Prasad provided details of the three DACEP steering committee meetings that had taken place since the November 25, 2009 meeting of DACE. It was noted

that membership of the steering committee was expanded to approximately 20 members representing Ajax's diverse community.

Mr. Gaynor advised that a diversity survey had been developed by the consultants, which will be made available to the public through the Town's website and at Town facilities. Ms. Moore agreed to forward the survey link to the committee for feedback. Councillor Ashby, Ms. Prasad and Mr. Gaynor stated they were please with the plan's progress to date.

Co-chair Lang reminded the committee of the focus group session scheduled with Ms. Claire Tucker-Reid and Mr. Alfred Jean-Baptiste, DACEP consultants, at the February 24, 2010 DACE advisory committee meeting. It was requested that the questions to be discussed during the session be provided to the Committee in advance. Ms. Moore agreed to contact the consultants to request further information.

6. Correspondence

6.1 Baha'i Alliance Event: Achieving Equality Between Women and Men

6.2 Baha'i Alliance Event: Beyond Multiculturalism and Diversity

With the consent of all members present, the items of correspondence identified on the January 27, 2009 agenda of the Diversity and Community Engagement Committee were received for information.

7. Update from Council

Regional Councillor Jordan and Councillor Ashby provided information on current and forthcoming Council initiatives, which included the final approval of the Town's budget, public consultation on the Town's Strategic Plan, Economic Development and Tourism focus sessions as well as several other Town initiatives.

8. New Business

None

10. Adjournment

With the consent of all members present, the January 27, 2010 meeting of the Diversity and Community Engagement Committee was adjourned. (8.32 p.m.)

**TOWN OF AJAX
REPORT**



REPORT TO: Council

SUBMITTED BY: R.J. Wilson, Fire Chief

PREPARED BY: K. Doucette, Chief Fire Prevention Officer

SUBJECT: Fire Route for 1801 Harwood Avenue North, Ajax

WARD(S): 2

DATE OF MEETING: 2010 03 08

REFERENCE: n/a

RECOMMENDATION:

1. That By-law 5-2004 be amended to establish a Fire Route at 1801 Harwood Avenue North, Ajax as per the attached schedule from Mr. Sam Laor of Laor Management Construction Inc. dated November 12, 2009.

BACKGROUND:

n/a

DISCUSSION:

The attached application and site plan received by the Fire Department from Mr. Sam Laor of Laor Management Construction Inc.; is requesting the establishment of a Fire Route at 1801 Harwood Avenue North. The Ajax Fire and Emergency Services has no objection to this request.

FINANCIAL IMPLICATIONS:

The installation and maintenance costs associated with the related signs and costs are covered by the property owner.

COMMUNICATION ISSUES:

CONCLUSION:

The Ajax Fire and Emergency Services submits this request for approval by resolution of Council.

K. Doucette – Chief Fire Prevention Officer

R.J. Wilson – Fire Chief

THE CORPORATION OF THE TOWN OF AJAX
DESIGNATION OF FIRE ACCESS ROUTES

Please consider this application for the designation of a FIRE ACCESS ROUTE(S) under the provisions and regulations as contained in Bylaw # 5-2004, as amended and Ontario Regulation 213/07, the Ontario Fire Code, as amended.

PLEASE PRINT

APPLICANT: LACR MANAGEMENT TELEPHONE#: 905 669-0230
CONSTRUCTION INC.

APPLICANT'S TITLE: PROJECT MANAGER

ADDRESS: 273 BOWES ROAD, UNIT B-7, 60

CITY: CONCORD, ONTARIO POSTAL CODE: L4K 1H8

PROPERTY OWNER: NORTH HARWOOD CENTRE TELEPHONE#: 905 370 1911
HOLDINGS LTD.

ADDRESS: 398 STEELS AVENUE WEST, SUITE 210

CITY: THORNHILL, ONTARIO POSTAL CODE: L4J 6X3

OWNER IS: (please check one) INDIVIDUAL () CORPORATION (X)

TYPE OF BUILDING FOR WHICH APPLICATION IS MADE: INDUSTRIAL PRESTIGE EMPLOYMENT LOT, PLAN, CONCESSION: PART LOT 8
CONCESSION 3

ADDRESS OF BUILDING: 1805 HARWOOD AVENUE NORTH - AJAX

NOV 12 2009
Date

[Signature]
Signature

IMPORTANT: ENTIRE APPLICATION MUST BE COMPLETED AND MUST BE ACCOMPANIED WITH ONE (1) COPY OF THE FIRE ROUTE PLAN. IF NOT, THIS APPLICATION WILL NOT BE PROCESSED.

=====

OFFICE USE ONLY

The following section to be completed by Ajax Fire & Emergency Services.

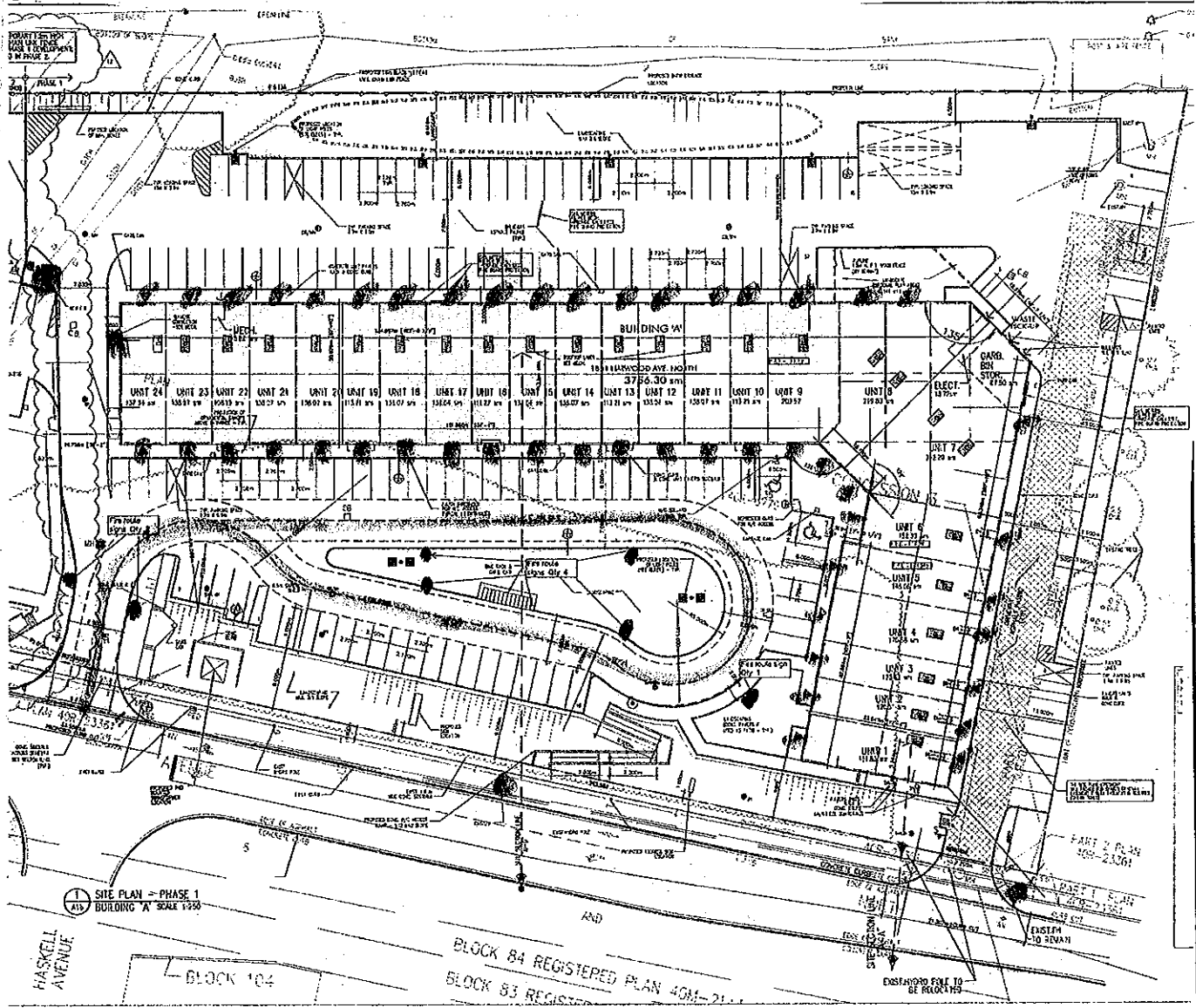
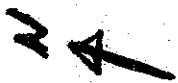
APPLICATION NUMBER: _____ DATE OF RECEIPT: _____

COMPLETED

Fire Route Signs are installed as shown on the accepted Fire Route Plan

Date

Signature of Fire Prevention Inspector



SITE PLAN - PHASE 1
BUILDING 'A' SCALE 1:250

PART 2 PLAN
40M-2361

BLOCK 84 REGISTERED PLAN 40M-21
BLOCK 83 REGISTERED PLAN 40M-21

LEGEND

APPROXIMATE LOCATION OF PROPERTY LINE

FIRE ROUTE SHOWN AS

FIRE ROUTE SIGN ON STREET LIGHT POLE

FIRE ROUTE SIGN ON SIGN POST

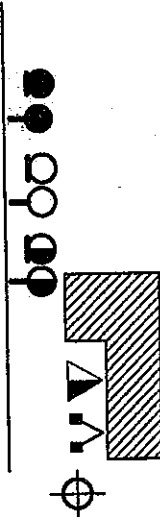
FIRE ROUTE SIGN ON BUILDING OR STRUCTURE

ENTRANCE TO BUILDING

FIRE (SIAMESE) CONNECTION

FIRE HYDRANT

- NO STOPPING
- NO PARKING
- BACK MOUNTED
- END MOUNTED
- BACK MOUNTED
- END MOUNTED
- BACK MOUNTED
- END MOUNTED



LOCATION / DESCRIPTION
1801 HARWOOD AVENUE NORTH

DESIGNATED FIRE ROUTE	TYPE	QTY.

DATE: 2010 03 08 SCHEDULE NUMBER 10-001

TOWN OF AJAX REPORT



Report To: Council

Submitted By: Paul Allore, M.C.I.P., R.P.P.
Director of Planning & Development Services

Prepared By: Barbara Hodgins, M.C.I.P., R.P.P.
Senior Policy Planner

Subject: **Great Lakes and St. Lawrence Cities Initiative-Update Report**

Ward(s): All

Date of Meeting: March 8, 2010

Reference: Strategic Plan: Environmental Leadership

Recommendations:

1. That the report entitled "Great Lakes and St. Lawrence Cities Initiative-Update Report", dated March 8, 2010, be endorsed.
2. That the draft resolution set out in the Attachment to this Report be sent to the Great Lakes and St. Lawrence Cities Initiative for consideration at its 2010 Annual Meeting.
3. That the Federal and Provincial governments and Region of Durham be respectfully requested to develop, fund and implement, in consultation with the Town of Ajax, a "Lake Ontario Water Quality Action Plan for the West Durham Waterfront (2011-2021)", premised on continuing scientific studies of nearshore water quality and contaminant sources in this area, that will lead to noticeably improved water quality in Lake Ontario along the Ajax waterfront, as an expedited component of a broader multi-barrier approach, to protect and enhance the Town's primary source of drinking water and restore beach and Lake-based recreational activities.
4. That this report be sent to the Executive Director of the Great Lakes and St. Lawrence Cities Initiative; the Federal Minister of the Environment; the Ontario Minister of the Environment; the Region of Durham's Health, Works and Planning Departments; the Toronto and Region Conservation Authority; the Environment Commissioner of Ontario.

Background:

The purpose of this report is to seek endorsement of a resolution to submit to the Great Lakes and St. Lawrence Cities Initiative (GLSLCI) before March 17, 2010 for consideration at the Annual Meeting in Milwaukee, Wisconsin on June 16 to 18, 2010.

Discussion:

Through membership in the GLSLCI, Ajax is focusing resources on encouraging senior governments in the U.S. and Canada to tackle persistent and emerging water issues affecting nearshore water quality along the Ajax waterfront and in the Great Lakes and St. Lawrence River Basin arising from the cumulative effects of human activities and continued urban growth, changing ecological conditions and climate change.

Recommended Resolution for GLSLCI's Annual Meeting in 2010

In response to a request received by the Mayor from David Ullrich, Executive Director of the GLSLCI to submit resolutions for consideration at the upcoming Annual Meeting and Conference, staff have prepared the attached draft Resolution for Council's consideration.

Since last year's Annual Meeting, the Town has continued to search for solutions to improve water quality along the Ajax shoreline, and to liaise with GLSLCI staff who have extensive knowledge of existing legislation and environmental conditions on both sides of the border.

In 1977, the U.S. Federal Clean Water Act, complemented by state legislation, enabled the establishment of water quality-related effluent limitations in localized areas where the condition of the receiving water body and the size and nature of discharging facilities, such as sewage treatment plants, industrial plants and nuclear plants, are such that generally applicable requirements do not provide adequate protection to water quality. At this time, there is still no such legislation in Canada, and the Town continues to believe this is an important "gap" in the series of actions needed to resolve Ajax's problem due to the unique combination of contaminant inputs in our locale:

- treated wastewater effluent discharged year-round from the Duffins Creek Water Pollution Control Plant in Pickering - due west of the west limit of Ajax and Rotary Park Beach;
- intermittent flows (carrying sediment and contaminants) from urban and rural sources and human activities in the extensive watershed discharging from the mouth of Duffins Creek just inside the west limit of Ajax - immediately adjacent to Rotary Park Beach;
- discharges from Ajax's stormwater system, carrying surface waters from the Town's subwatersheds intermittently (during periods of snowmelt and rainfall) into Duffins and Carruthers Creeks and directly into Lake Ontario untreated;
- feces from geese, waterfowl and birds that inhabit the Duffins Creek coastal marsh complex, the waterfront (year-round), and stormwater and other inland ponds, and from dogs, cats, raccoons and other warm-blooded animals; and
- ambient contaminants flowing into the area from sources within Lake Ontario and beyond.

Such contaminants can settle out (attached to sediments) on the lake bottom, may remain dissolved in the water, or possibly be re-suspended in lake waters by wind and water action.

There is no other location in Ontario, on the shoreline of Lake Ontario, characterized by this particular combination of natural and human contaminant sources, and subject to persistently elevated levels of *E. coli* bacteria underscored by beach closures and excessive nuisance growth of *Cladophora* algae. This mixture of contaminants recirculates toward the Ajax shoreline, the Water Supply Plant's intake and Rotary Park Beach. As well, Ontario Power Generation and Durham Region have identified that, in recent years, excessive algae has blocked water intake pipes, causing costly operational problems at the NGS and Water Supply Plant in Ajax. Such algae has also fouled the Ajax shoreline every summer.

Among the many laudable goals in the recently released "Great Lakes Restoration Initiative Action Plan (2010-2014)", the White House Council on Environmental Quality and a host of U.S. Departments are aiming to ensure that "no community suffers disproportionately from the impacts of pollution"¹. The Canadian, Provincial and Regional governments should be undertaking concerted, well-financed actions with the Town of Ajax to protect this community from the disproportionate effects of the unique concentration of sources of pollution near our waterfront.

Ajax needs greater protection from these sources - large infrastructure facilities to be used for decades to support growth within and well beyond the Town's limits. Such protection does not appear to be achievable using existing Canadian and Provincial legislation.

In Canada and Ontario, it is time to stop avoiding the accumulating effects of wastewater on Great Lakes water quality.

Without strong Canadian and Provincial legislation, much like the U.S. Clean Water Act, being established in the near future, the Ajax community will not be able to avoid or avert the adverse public health risks associated with these types of contaminant sources and their impacts on the Lake Ontario waters we use for recreational purposes - and on which we depend for our drinking water.

Accordingly, it is recommended that Council endorse the draft resolution contained in Attachment to this report. The draft resolution describes the need and rationale for establishing new water quality legislation in Canada and Ontario to protect the water quality of Lake Ontario (the receiving water body, and the source of drinking water) in the vicinity of Ajax.

It is hoped that GLSLCI members and the Canadian and Ontario governments will recognize the untenable situation Ajax finds itself in, and will support the attached draft resolution as a starting point for resolving water quality issues specific to the Ajax community.

¹

Great Lakes Restoration Initiative Action Plan (2010-2020) - please refer to:
http://greatlakesrestoration.us/action/wp-content/uploads/glri_actionplan.pdf

Financial Implications:

None.

Communication Issues:

None.

Conclusions:

The attached draft resolution builds upon previous resolutions submitted to the GLSLCI by the Town of Ajax.

It is recommended that Council endorse the draft resolution and submit it to the GLSLCI for consideration.

Barbara Hodgins, M.C.I.P., R.P.P. - Senior Policy Planner

Gary Muller, M.C.I.P., R.P.P. - Manager of Planning

Paul Allore, M.C.I.P., R.P.P. - Director of Planning & Development Services

Attachment**DRAFT RESOLUTION****LAKE ONTARIO WATER QUALITY ACTION PLAN
FOR THE WEST DURHAM WATERFRONT**

WHEREAS, the freshwater resources of the Great Lakes and the St. Lawrence River are the largest source of fresh water in the world and the primary source of drinking water for about 40 million people currently living within the Great Lakes and St. Lawrence Basin; and

WHEREAS, these resources are also essential for boating, fishing, swimming, and other activities important to the quality of life and economic well being of the people; and

WHEREAS, there are many point sources of contaminants (industrial outfalls, sewage treatment plants) within and beyond the Basin creating threats to water quality that are conceptually easier to monitor and control than non-point sources (shipping, agriculture, large-scale urban runoff, historically contaminated sediments); and

WHEREAS, some sewage treatment plant outfalls are located near drinking water intakes and beaches, and in certain areas, lake circulation patterns can trap discharged effluent in nearshore waters and contaminate sediments that can act as persistent risks, also presenting a threat to municipal water supplies and to swimmers; and

WHEREAS, the ecological community of the Great Lakes is changing in response to these increasing levels of environmental stress; and

WHEREAS, as population growth continues and wastewater treatment service areas expand or communities intensify, the volume of discharged treated effluent will continue to increase, introducing more nutrients and contaminants daily into nearshore waters; and

WHEREAS, wastewater composition is becoming more and more complex due to inputs of an increasing array of chemicals from industrial and commercial processes and pharmaceuticals and personal care products; and

WHEREAS, there is great need for the installation and continual upgrading of clean-water technologies in water supply plants and wastewater treatment plants throughout the Great Lakes Basin, and, more specifically, in the vicinity of the Town of Ajax, Ontario, however, plant owners and operators indicate there are no Provincial standards compelling them to do so nor do they have sufficient funding to acquire such technologies and utilize them; and

WHEREAS, water supply plant intakes are often interspersed among sewage treatment plant outfalls on the shorelines of the Great Lakes and St. Lawrence Basin; and

WHEREAS, nuclear plants are also located on these shorelines, sometimes close to water supply plants, as they also depend on the Great Lakes to provide cooling waters for reactors and to receive warmed water outputs; and

WHEREAS, better protection and improvement of the quality of freshwater resources in the Great Lakes and the St. Lawrence River Basin are necessary to sustain the millions of people living within the Basin today and in the future.

NOW, THEREFORE, BE IT RESOLVED, that the Great Lakes and St. Lawrence Cities Initiative encourages Canadian and Provincial governments to develop, fund and implement, in consultation with the Town of Ajax, a "Lake Ontario Water Quality Action Plan" for the West Durham Waterfront (2011-2021)", premised on continuing scientific studies of nearshore water quality and contaminant sources in this area, that will lead to noticeably improved water quality in Lake Ontario along the Ajax waterfront, as an expedited component of a broader multi-barrier approach, to protect and enhance the Town's primary source of drinking water and restore beach and Lake-based recreational activities.

Regional Councillor Report

Submitted by: Colleen Jordan, Regional Councillor Wards 3 & 4

Date: March 8, 2010

Health Committee – Feb. 25, 2010

Information and Privacy Commissioner of Ontario Order

Pat Jeselon and Ross Fraser, Privacy and Security Consultants, were retained by the Medical Officer of Health to ensure that the Privacy Commissioner's Orders regarding the loss of personal health information were complied with and proof of doing so was provided to the Commissioner, as ordered, by the February 16, 2010 deadline. The consultants provided a presentation to the Health Committee, regarding the order and the measures taken by the Region to comply. The Medical Officer of Health also provided information and compliance actions taken regarding the Privacy Commissioner's Order.

In summary, all Health Department mobile devices and media are strongly encrypted. The collection of health card numbers and personal health information relating to priority group status that was not relevant to receiving H1N1 vaccine at the January 2010 immunization clinics was stopped. All health card numbers and personal health information relating to priority group status collected after the H1N1 vaccine was made widely available to the general public has been securely destroyed. A Health Department privacy program is being developed and Health Department training will be strengthened. A dedicated privacy officer position has been approved through the budget process. The role of this new position will be to co-ordinate and maintain the privacy program. The Order was posted on the Region's website and the public was notified through ads placed in local newspapers about the Order and given information as to how to access it.

The Health Department in its response to the Privacy Commissioner outlined their disagreement with some of the Commissioner's findings. The Health Department has recognized the importance of protecting personal health information on mobile devices for many years. Documentation of this requirement dates back to 2006. The use of encrypted laptops and USB keys was established in earlier campaigns and had been previously successfully followed. The employee responsible for encrypting the USB key was an employee of the Region, performing duties in the Corporate Information Systems Department and as such was an agent of the Region. The need to encrypt the data was again identified at a meeting between the Health Department and Corporate Information Systems Department in a meeting in October, prior to the H1N1 immunization campaign. The employee in the CIS Department, responsible for encrypting the keys did not do so.

The personal health information was collected in accordance with Ministry of Health and Long Term Care requirements. The client questionnaire was provided through the Niagara Information Immunization computer data system which was recommended for use by Ontario public health units by the Ministry. Boards of Health were also provided funding for I.T. equipment if they used the Niagara system. Boards of Health were not permitted to make any modifications to the system as stated in the licensing agreements that they were required to sign. The Niagara system was the system utilized by Durham Region.

The Privacy Commissioner also made a recommendation that the Region develop and implement a comprehensive policy for mobile devices to ensure that to the extent that personal health information must be transported on those devices, it is strongly encrypted.

Recommendations were also made by the Commissioner to the Ministry of Health to request each public health unit to review its practices and procedures with regard to encryption of mobile devices, requesting each Medical Officer of Health to attest that no unencrypted personal health information is being transported on unencrypted devices. The Commissioner also recommended auditing a sample of public health units by the Ministry to verify these practices are followed. In addition, she also recommended resources be provided to develop training material to ensure all public health unit staff are aware of the need for proper safeguards.

Dr. Kyle, Durham's Medical Officer of Health, has committed to sharing his findings and the actions taken by the Health Department and the Region's Corporate Information Services Department with the Ministry of Health and Long Term Care and other Medical Officers of Health to ensure similar privacy breaches do not occur.

The Health Committee recommended that this presentation be made to Regional Council who acts as the Board of Health for Durham Region to ensure that there is a clear understanding of the recommendations and compliance measures by all committees and departments involved in this breach.

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 34-2010

A By-law to amend By-law 5-2004, being a By-law to regulate traffic on highways in the Town of Ajax.

WHEREAS the Council of The Corporation of the Town of Ajax may pass By-laws pursuant to the Highway Traffic Act, R.S.O.1990 and amendments thereto:

NOW THEREFORE, the Council of the Corporation of the Town of Ajax enacts as follows:

1. That By-law Number 5-2004 as amended be further amended as follows:

SCHEDULE XXVI

FIRE ROUTES

ADD:

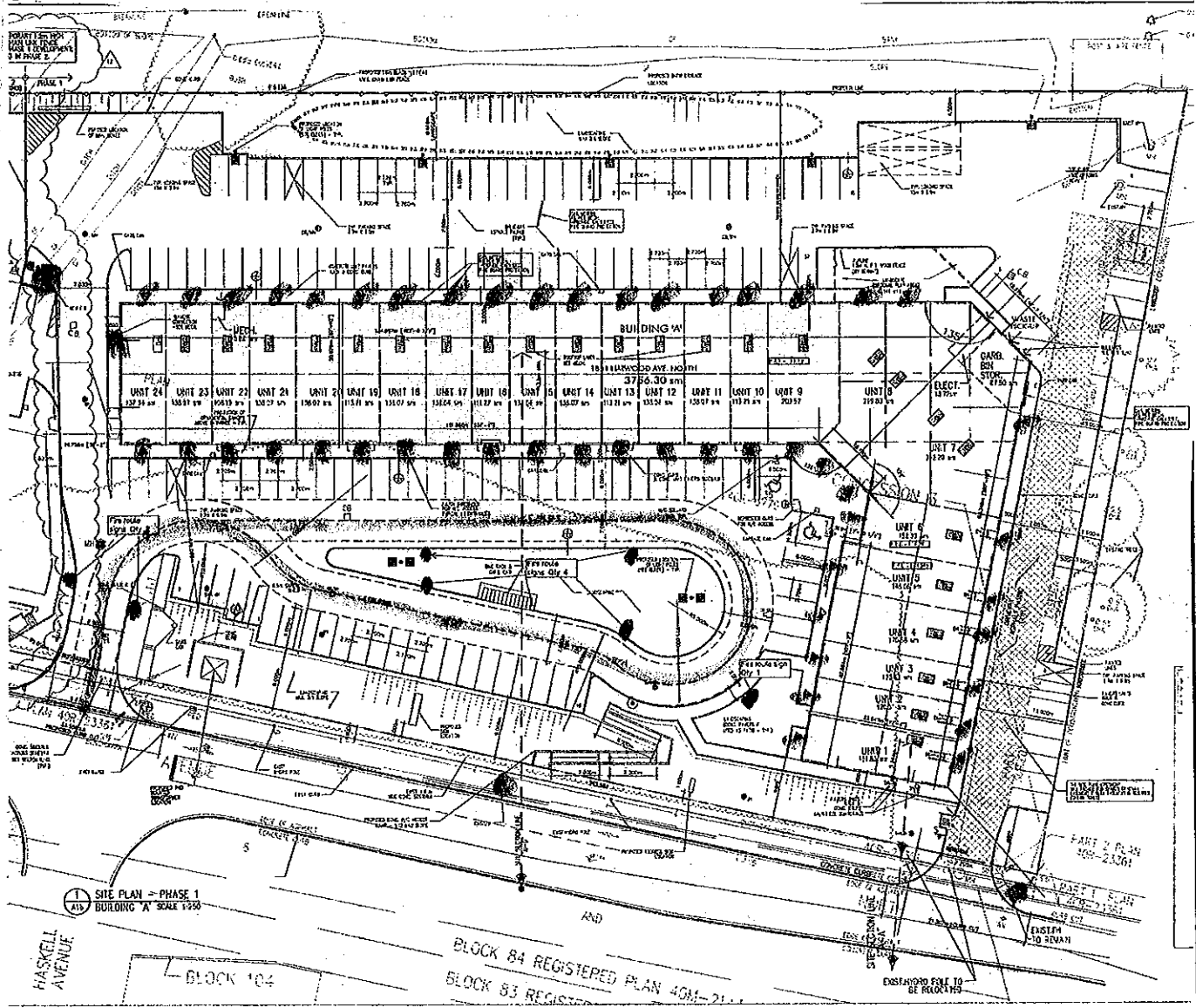
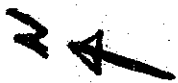
<u>Municipal Address</u>	<u>Name of Property</u>	<u>Approval Date</u>
1801 Harwood Avenue North	North Harwood Centre Holdings Ltd.	2010 03 08

READ a first and second time this Eighth day of March, 2010.

READ a third time and passed this Eighth day of March, 2010.

Mayor

D-Clerk



SITE PLAN - PHASE 1
BUILDING 'A' SCALE 1:250

PART 2 PLAN
40M-2361

BLOCK 84 REGISTERED PLAN 40M-21
BLOCK 83 REGISTERED PLAN 40M-21

LEGEND

APPROXIMATE LOCATION OF PROPERTY LINE

FIRE ROUTE SHOWN AS

FIRE ROUTE SIGN ON STREET LIGHT POLE

FIRE ROUTE SIGN ON SIGN POST

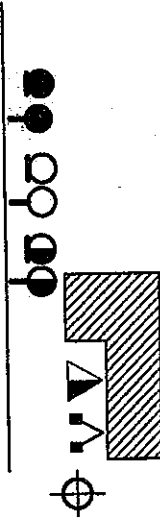
FIRE ROUTE SIGN ON BUILDING OR STRUCTURE

ENTRANCE TO BUILDING

FIRE (SIAMESE) CONNECTION

FIRE HYDRANT

- NO STOPPING
- NO PARKING
- BACK MOUNTED
- END MOUNTED
- BACK MOUNTED
- END MOUNTED
- BACK MOUNTED
- END MOUNTED



LOCATION / DESCRIPTION
1801 HARWOOD AVENUE NORTH

DESIGNATED FIRE ROUTE	TYPE	QTY.

DATE: 2010 03 08 SCHEDULE NUMBER 10-001

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 35-2010

Being a By-law to define the purchasing policies for the acquisition of Goods and/or Services by the Town of Ajax.

WHEREAS this By-law establishes the authority and sets out the methods by which the Town of Ajax will procure Goods and/or Services, subject to certain exceptions set out herein;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AJAX HEREBY ENACTS, AS FOLLOWS:

1. SHORT TITLE

This By-law may be cited as the Purchasing By-law.

2. PURPOSES, GOALS AND OBJECTIVES

2.1. The purpose, goals and objectives of this By-law and each of the methods of acquisition authorized are:

- 2.1.1. to encourage competition among suppliers;
- 2.1.2. to maximize savings for taxpayers;
- 2.1.3. to ensure service and product delivery, quality, efficiency and effectiveness;
- 2.1.4. to ensure fairness among bidders;
- 2.1.5. to ensure openness, accountability and transparency, while protecting the financial and operational best interests of the Town;
- 2.1.6. to have regard for the accessibility for persons with disabilities to the Goods/Services and Construction purchased by the Town.

2.2. This By-law shall be applied and administered having regard for the Town's "Capital Expenditure Control Policy No. 013" and any other finance control policies, amended from time to time.

3. DEFINITIONS

- 3.1. "**Award**" means the selection of a Bidder/Proponent and their Goods/Services as accepted by the Town.
- 3.2. "**Bid**" means the Bidder's or Proponent's offer to sell the Goods/Services to the Town.
- 3.3. "**Bidder**" means, a person, supplier, vendor, contractor; developer or professional, who submits a Bid to the Town.
- 3.4. "**Bid Document**" means a Request for Tender, Request for Quotation, Request for Proposal or other documents that state, the Town's desire to buy or to consider buying and Bidders/Proponents offer to sell to the Town, the Goods/Services defined in the specifications.
- 3.5. "**Bid Irregularity**" means a deviation between the requirements of a Bid Document request and the information provided in the Bid response.
- 3.6. "**Contract**" means, a binding agreement between two or more parties that creates an obligation to provide a particular Good/Service.
- 3.7. "**Council**" means the Council of the Town.
- 3.8. "**Department**" means a department as established by the Town from time to time.
- 3.9. "**Department Head**" means the person chosen by the Town to be the head of a Department.
- 3.10. "**EOI**" means Expression of Information, a process whereby the Town uses a focused market research tool to determine Bidder interest in proposed procurement.

- 3.11. **“Formal Process”** means the request for Bid is issued in writing, on prescribed forms. Bidders/Proponents must submit their Bid, using these forms in a sealed package, by a predetermined time. Formal processes must follow the provisions detailed in the various procurement related ISO Standard Operating Procedures.
- 3.12. **“Goods/Services”** means all goods and services, as set out in the Bid Document, which include all supplies, materials, equipment, general maintenance and services, construction and works contracts, leases, rentals, and repairs of equipment; consulting and professional services, including the services provided by architects, engineers, designers, real estate appraisers, management or financial consultants, brokers or lawyers and any other consulting or professional service rendered on behalf of the Town.
- 3.13. **“Informal Process”** means the request for Bid may or may not be published and received on prescribed forms, by a predetermined time. Depending on the purchase value, Bids may be received electronically, verbally or in written formats.
- 3.14. **“ISO”** means the International Organization of Standardization.
- 3.15. **“Major Irregularity”** means an irregularity in a Bid, such that a strict compliance component is missing, which is required at the time of Bid submission, affecting the price, quality, quantity or delivery and is material to the Award. If the irregularity is permitted, the Bidder/Proponent could gain an unfair advantage over competitors and therefore results in the automatic rejection of the Bid.
- 3.16. **“Minor Irregularity”** means an irregularity in a Bid, such that a Bid submission is substantially compliant, and the irregularity affects form rather than substance. The effect on the price, quality, quantity or delivery is not material to the Award. If the irregularity is permitted, the Bidder/Proponent would not gain an unfair advantage over competitors. The Bidder/Proponent will, if any, be allowed time to clarify/correct the submission, only with respect to the Minor Irregularity.
- 3.17. **“Proposal”** means an offer from a Proponent to provide Goods/Services to the Town, acceptance of which may be subject to further negotiation. It is the response submitted to a RFP.
- 3.18. **“Proponent”** means a person, supplier, vendor, contractor; developer or professional submitting a Proposal.
- 3.19. **“Purchasing”** means the Purchasing Section of the Finance Department.
- 3.20. **“Purchasing Card (P-Card)”** means a type of credit card issued at the corporate level, by an authorized lending institute. The cards are issued in an individuals' name, but the charges incurred are the liability of the corporation.
- 3.21. **“Quotation”** means an offer from a Bidder to provide Goods/Services to the Town or buy Goods/Services from the Town, at a specific rate or price. It is the response submitted to a RFQ, the acceptance of which will result in the formation of a binding Contract between the Town and the Bidder submitting the Quotation.
- 3.22. **“RFI”** means Request for Information, a process whereby the Town uses a general market research tool to determine what products and/or services are available; to scope out business requirements; and/or estimate project costs.
- 3.23. **“RFP”** means Request for Proposal, a process whereby the Town identifies a need, but the method by which it will be achieved is unknown at the outset. This process allows Proponents to propose solutions or methods to arrive at a desired result.
- 3.24. **“RFQ”** means Request for Quotation, a process whereby the Town, through a Formal or Informal Process, requests Bids for particular Goods/Services, which may or may not be required to be submitted on prescribed forms in sealed packages.
- 3.25. **“RFT”** means Request for Tender, a process whereby the Town, through a Formal Process, requests Bids for particular Goods/Services which must be submitted on prescribed forms in sealed packages.

- 3.26. **“RPQ”** means Request for Pre-Qualification, a process whereby the Town requests specific qualification criteria, which will then be used to identify and pre select Bidders, where the experience and qualifications of the Bidder must be clearly established and verified prior to the Bidder being allowed to submit a Bid. This process is typically used when selecting Architects and General Contractors for large building construction or renovations.
- 3.27. **“Single Sourcing”** means the procurement of Goods/Services from a particular Bidder/Proponent rather than through the solicitation of Bids from multiple Bidders/Proponents who can also provide the same/similar Goods/Services.
- 3.28. **“Sole Sourcing”** means the procurement of Goods/Services that are unique to a particular Bidder/Proponent and cannot be obtained from another source.
- 3.29. **“Standard Operating Procedures”** means the procedures established by the Town to be followed in carrying out a given operation or a given situation.
- 3.30. **“Tender”** means, an offer from a Bidder to provide Goods/Services in response to a RFT, the acceptance of which will result in the formation of a binding Contract between the Town and the Bidder submitting the Tender.
- 3.31. **“Town”** means The Corporation of the Town of Ajax.

4. PROCUREMENT PROCEDURES

Any person acquiring Goods/Services on behalf of the Town, shall do so in accordance with this By-law and the various procurement related ISO Standard Operating Procedures.

- 4.1. Method of Solicitation -The method of solicitation may take the form of one of the following:
 - 4.1.1. Request for Quotation (RFQ)
 - 4.1.2. Request for Tender (RFT)
 - 4.1.3. Request for Proposal (RFP)
 - 4.1.4. Request for Pre-Qualification (RPQ)
 - 4.1.5. Request for Information (RFI)
 - 4.1.6. Expression of Interest (EOI)
 - 4.1.7. Non-Competitive Process
- 4.2. Where the factors of suitability, quality, service, and ability to deliver, are deemed to be equal, the Contract shall be awarded to the lowest, compliant Bidder or highest scoring, compliant Proponent who meets the minimum specifications.
- 4.3. Notwithstanding the provisions of this By-law, the Town shall have absolute discretion in awarding Contracts and retains the right to reject any or all Bids.
- 4.4. Purchases \$0 - \$1,000.00
 - 4.4.1. Competitive Bids are not required.
 - 4.4.2. The Contract is awarded by staff in accordance with Section 4.10 Contract Award Approval Levels.
- 4.5. Purchases \$1,000.01 - \$25,000.00
 - 4.5.1. The Bid solicitation process shall be conducted through Purchasing, unless the commodity is authorized under Section 5 Non-Competitive Process or Section 8 Exceptions/Exemptions from Competitive Process.
 - 4.5.2. A Formal or Informal Process shall be followed, all in accordance with the provisions detailed in the various procurement related ISO Standard Operating Procedures.
 - 4.5.3. The Manager of Purchasing or designate, in consultation with the Department representative, shall determine whether a Formal Process or Informal Process will be followed.
 - 4.5.4. The Department shall provide Purchasing with the relevant information required for the acquisition, such as; specifications, terms of reference, provisions, plans, drawings, etc.

- 4.5.5. The Contract is awarded by staff in accordance with Section 4.10 Contract Award Approval Levels.
- 4.6. Purchases Over \$25,000.00
 - 4.6.1. The Bid solicitation process shall be conducted through Purchasing, unless the commodity is authorized under Section 5 Non-Competitive Process or Section 8 Exceptions/Exemptions from Competitive Process.
 - 4.6.2. A Formal Process shall be followed, all in accordance with the provisions detailed in the various procurement related ISO Standard Operating Procedures.
 - 4.6.3. The Department shall provide Purchasing with the relevant information required for the acquisition, such as; specifications, terms of reference, provisions, plans, drawings, etc.
 - 4.6.4. The Contract is awarded by Council in accordance with 4.10 Contract Award Approval Levels.
- 4.7. Negotiations following a Competitive Bid Process
 - 4.7.1. In the case of a RFT/RFQ, prior to the onset of any negotiations, the competitive Bid method of solicitation must be cancelled and:
 - 4.7.1.1. all Bidders that submitted a Bid for the solicitation, will be notified in writing that a contract with respect to the Bid Document [RFT/RFQ] will not be awarded;
 - 4.7.1.2. any Bid securities, including Bid Bonds and Agreements to Bond will be returned.
 - 4.7.2. When using a competitive Bid process, purchases of Goods/Services may be acquired through negotiation under the following conditions:
 - 4.7.2.1. where two or more identical Bids are received;
 - 4.7.2.2. where the lowest compliant Bid meeting specifications is excessive in total cost and/or substantially exceeds the estimated costs;
 - 4.7.2.3. where all Bids received fail to meet specifications and/or terms and conditions and it is impractical to recall the request for Bid.
 - 4.7.3. Where negotiations are undertaken with more than one Bidder/Proponent, all Bidders/Proponents shall be given full disclosure on all information relating to the negotiation, subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act (the "MFIPPA").
- 4.8. In-House Bids

In-House Bids may be obtained for the procurement of Goods/Services in circumstances, where the Chief Administrative Officer of the Town (the "CAO") considers it beneficial and appropriate to do so.
- 4.9. Purchasing Cards
 - 4.9.1. Purchasing Cards (P-Cards) have been issued to a number of staff to assist them in the acquisition and payment of low dollar value, high volume purchases of Goods/Services.
 - 4.9.2. The P-Cards are not to be used for expenditures of a personal nature.
 - 4.9.3. Purchases made by P-Cards are subject to the requirements of this By-law and the various procurement related ISO Standard Operating Procedures.
 - 4.9.4. Further details are provided for in the P-Card Policy and Procedure Guidelines.

4.10. Contract Award Approval Levels

- 4.10.1. Unless otherwise provided in accordance with this By-law, the purchase of Goods/Services shall be authorized in accordance with the provisions detailed in the various procurement related ISO Standard Operating Procedures.
- 4.10.2. In determining the appropriate authority level, the Contract purchase value shall be considered to include all applicable costs (ie. freight, taxes) in the acquisition of the Goods/Services for the entire time period the Contract is being awarded to a particular Bidder/Proponent.
- 4.10.3. Authority is granted to the CAO or Department Heads to Award or enter into Contracts, subject to the dollar values detailed below and providing the Award is made to the lowest compliant Bidder or highest scoring compliant Proponent, otherwise Council must Award the Contract.
- 4.10.4. \$0 - \$10,000.00 - Department Head or designate.
- 4.10.5. \$10,000.01 - \$25,000.00 - CAO or designate.
- 4.10.6. Over \$25,000 - Council.
- 4.10.7. All unbudgeted capital projects must be Awarded by Council, regardless of the value.

4.11. Council Recess Periods - Contract Award Over \$25,000.00

Unless otherwise authorized by Council, Council's recess periods are to cover the annual Summer break (July - August); Municipal Election period; and the annual Seasonal break (December/January). The following shall apply during the Council recess periods:

- 4.11.1 the CAO and Director of Finance/Treasurer, or their designates, are authorized to issue Awards and enter into Contracts, provided they are within the budget estimates;
- 4.11.2 the Mayor, CAO and Director of Finance/Treasurer, or their designates, are authorized to issue Awards and enter into Contracts if they exceed budget estimates;
- 4.11.3 the Mayor, CAO and Director of Finance/Treasurer, or their designates, are authorized to issue Awards and enter into Contracts which are unbudgeted; and
- 4.11.4 a report will be prepared by the applicable Department Head, and presented to Council at its first meeting following the recess period, regarding all Contract Awards exceeding \$25,000.00 and awarded during the recess period.

5. NON-COMPETITIVE PROCESS (Single/Sole Source Purchases)

- 5.1. All Non-Competitive purchases of Goods/Services, greater than \$1,000.00 are to be assessed by the Manager of Purchasing prior to any negotiations/discussions with a Vendor.
- 5.2. All Non-Competitive purchases of Goods/Services, under \$10,000.00 shall be approved by the Department Head or designate prior to the purchase of the Goods/Services.
- 5.3. All Non-Competitive purchases of Goods/Services, between \$10,000.01 - \$25,000.00, shall be approved by the CAO prior to the purchase of the Goods/Services.
- 5.4. All Non-Competitive purchases of Goods/Services, over \$25,000.00 shall be approved by Council.
- 5.5. Departments, in consultation with Purchasing, shall obtain a written Bid, from the Bidder/Proponent, for any Non-Competitive purchase of Goods/Services, prior to the purchase of the Goods/Services.

5.6. A Non-Competitive Process shall only be used if one or more of the following conditions apply and a process of negotiation is undertaken to obtain the best value in the circumstances for the Town:

5.6.1. the Goods/Services are only available from one source or one supplier by reason of:

Sole Source:

- 5.6.1.1. a statutory or market based monopoly;
- 5.6.1.2. scarcity of supply in the market;
- 5.6.1.3. existence of exclusive rights (patents, copyright or license);

Single Source:

- 5.6.1.4. need for compatibility with Goods/Services previously acquired and there are no reasonable alternatives, substitutes or accommodations;
- 5.6.1.5. need to avoid violating warranties and guaranties where service/support is required;
- 5.6.1.6. the extension of an existing Contract would prove more cost effective or beneficial;
- 5.6.1.7. due to market conditions, required Goods/Services are in short supply;
- 5.6.1.8. the required Goods/Services are to be supplied by a particular Bidder/Proponent having special knowledge, skill, expertise or experience, which cannot be provided by any other person; or
- 5.6.1.9. the nature of the requirement is such that it would not be in the public interest to solicit competitive Bids, as in the case of security or confidential matters.

5.6.2. an attempt to purchase the required Goods/Services has been made in good faith, using a competitive Bid method and has failed to identify a successful Bidder/Proponent;

5.6.3. the required Goods/Services are to be supplied as a result of an emergency, which would not reasonably permit the use of other procurement procedure methods;

5.6.4. where, at the discretion of the Department Head, and with the approval of the CAO, it is deemed to be in the best interests of the Town to negotiate with Bidders/Proponents.

5.7. Where a Non-Competitive Procurement Process is undertaken, full disclosure shall be given, on all information relating to the purchase, subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

6. UNSOLICITED BIDS

Unsolicited Bids received by the Town shall be reviewed by the Department Head or Manager of Purchasing. Any procurement activity resulting from the receipt of an unsolicited Bid shall comply with the provisions of the Non-Competitive Process requirements of this By-law.

7. PROHIBITIONS

7.1. Except where a Bid is requested on a unit price basis, and subject to the provisions of the MFIPPA, no employee, or any appointed or elected official of the Town shall divulge the unit prices paid for by the Town for Goods/Services. However, the total price of a Contract, as well as the name of the successful Bidder/Proponent may be revealed to any interested party.

7.2. No Contract shall be awarded to any person or corporation who or which has a claim or has instituted a legal proceeding against the Town or against who the Town has a claim or has instituted a legal proceeding with respect to any previous Contract.

- 7.3. No personal purchase of Goods/Services shall be made by the Town on behalf of a member of Council, a member of a local board or an employee of the Town, unless authorized by Council.
- 7.4. No employee or member of Council shall purchase or offer to purchase any Goods/Services on behalf of the Town except as may be provided for in this By-law.
- 7.5. No requirements for Goods/Services, including consulting or professional services, shall be divided to avoid the requirements of this By-law and the total project, annual requirement, or total Contract value shall be considered.

8. EXCEPTIONS/EXEMPTIONS FROM COMPETITIVE PROCESS (under \$25,000.00)

Unless otherwise noted, Goods/Services (under \$25,000.00) as set out below may be procured without a competitive process, subject to the funds being available in the Operating Budget or the Capital Budget for that purpose:

8.1 Utilities (excluding purchases arranged through 3rd party agreements):

- a. Electricity;
- b. Hydro;
- c. Water and Sewer;
- d. Natural Gas;
- e. Telephones & Long Distance Service (excludes cellular phones & services);
- f. Cable Television Service.

8.2 Training and Education:

- a. Membership Fees - Professional Association;
- b. Magazines;
- c. Periodical Subscriptions;
- d. Books;
- e. Conference and Seminars;
- f. Courses;
- g. Staff Development, Workshops & Reports.

8.3 Refundable Employee Expenses;

8.4 Federal/Provincial/Municipal Mandated Programs;

8.5 Advertising:

- a. Newspapers (National and Local);
- b. Radio;
- c. Television;
- d. Periodicals;
- e. Trade Journals;
- f. Magazines;
- g. Internet (Specialty Association Web-Sites, such as AMCTO, OPBA).

8.6 Software (Proprietary, Non-Value Added Resellers):

- a. Annual maintenance fees for software already approved under the requirements of this By-law, where the approved vendor is the sole source provider of the maintenance service;
- b. Software upgrades for software already approved under the requirements of this By-law (including support and training), where the vendor is the sole source provider of the upgrade service;
- c. Additional software licenses for software already approved under the requirements of this By-law, where the vendor is the sole source of the licensing service.

8.7 General Expenses:

- a. Postage;
- b. Petty Cash & Replenishment;
- c. Newspaper Subscriptions;
- d. Licenses (ie. Vehicles);
- e. Transportation (Bus, Train, Airplane);
- f. Insurance;
- g. Building Lease Payments;
- h. Charges to/from other government agencies, including Contracts with Federal, Provincial, Regional, or Municipal Government; Agencies/Boards/Commissions (Ajax Public Library, Durham District School Board and Durham Catholic District School Board).

8.8 Certain Professional and Special Services:

- a. Arbitration Services;
- b. Mediation Services;
- c. Legal Settlements;
- d. Physician Services;
- e. Counselling Services;
- f. Temporary Help;
- g. Banking & Underwriting Services (where covered by Agreements);
- h. Providers of artistic or specialized services, such as; instructors for dance, yoga, karate; artists; entertainers or entertainment products, etc. (providing the total acquisition cost is less than \$25,000);
- i. Catering (excluding concessions & vending services).

8.9 Public Relations:

- a. Trade Show Registration;
- b. Trade Show Booth Rentals;
- c. Event Sponsorship.

9. LOCAL PREFERENCE

9.1. The following two legislative documents prohibit municipalities from adopting a Local Preference Policy:

9.1.1. The Discriminatory Business Practices Act (R.S.O. 1990, Chapter D12), as amended; and

9.1.2. The Canadian Governments implementation of the Agreement of Internal Trade.

9.2. The primary objective of the purchasing process is to acquire Goods/Services at the lowest possible cost, consistent with the demands of suitability, quality, service, and delivery capabilities.

9.3. If in the determination of the Manager of Purchasing or designate, a competitive market exists, and two or more compliant Bids are received and are identical in price, and provided suitability, quality, service, and delivery are similar, then priority of acceptance may be made first for a local Bid, if any then, for a regional Bid, if any otherwise, the Manager of Purchasing or designate, will proceed to procure 'best and final offers' from the Bidders/Proponents involved in order to break the tie.

10. CO-OPERATIVE PURCHASING

10.1. The Town shall participate with other government agencies or public authorities in co-operative purchasing of Goods/Services, where it is in the best interest of the Town to do so.

10.2. The decision to participate in co-operative purchasing agreements will be made jointly by the Manager of Purchasing or designate and the responsible operating Department.

10.3. The policies of the government agencies or public authorities calling the co-operative Bid Document, as amended, are to be the accepted governing policy for that particular Bid Document.

11. EMERGENCY PURCHASES (greater than \$1,000.00)

- 11.1. Emergency purchases of Goods/Services may be made by the Department Head or CAO or designates when the immediate purchase is essential to prevent serious delays in the work of any department which might involve; danger to life; damage to property; costly downtime; or the provision of an essential service.
- 11.2. As soon as possible following the Emergency, the Department representative shall document the details of the acquisition. The following shall apply in accordance with the dollar value of the Award:
 - 11.2.1. \$1,000.01 to \$10,000.00 – the Department Head or designate, shall provide a written summary report to the Manager of Purchasing, detailing the emergency expenditure.
 - 11.2.2. \$10,000.01 to \$25,000.00 - the Department Head or designate, shall provide a written summary report to the CAO, detailing the emergency expenditure.
 - 11.2.3. over \$25,000.00 - the Department Head and CAO or designate, shall prepare a Report to Council “for information only” detailing the emergency expenditure.

12. ETHICS IN PURCHASING

The code of purchasing ethics, established by the National Institute of Government Purchasing (NIGP) and the Ontario Public Buyers Association (OPBA), shall apply to all Finance Department, Purchasing Section staff involved in the procurement process.

13. CODE OF CONDUCT

All Town staff are governed by the Town's Code of Conduct Policy, AD 20.70, as amended. Council is governed by the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50, as amended and the Town's Council Member Code of Conduct, By-law No. 89-2004, as amended.

14. REVIEW OF BIDS & BID IRREGULARITIES

- 14.1. Bids received, are reviewed by staff, for compliance with the Bidding process and procedural rules as set out in the Bid Document. Bids are further evaluated to determine the following, all in accordance with the Bid Document:
 - 14.1.1. technical requirements have been met;
 - 14.1.2. minimum specifications have been met;
 - 14.1.3. minimum required qualifications have been met;
 - 14.1.4. minimum experiences have been met;
 - 14.1.5. accuracy of the Bid.
- 14.2. Bid irregularities found in a Bid, are categorized as a Major Irregularity or a Minor Irregularity, with respect to Bid compliance. A Major Irregularity found in the Bid will result in automatic rejection of the Bid. Where a Minor Irregularity is found in the Bid, the Town reserves the right to waive, correct, or have the Bidder/Proponent clarify the irregularity in order to serve the best interests of the Town.
- 14.3. The process for administering irregularities in Bids pertaining to all Contracts, are set out in the various procurement related ISO Standard Operating Procedures, and as noted in the attached Appendix A.
- 14.4. In exercising judgement, the Manager of Purchasing or designate, shall consider the advice of the Town Solicitor.

15. BIDDER/PROPONENT PERFORMANCE

- 15.1. The Department shall be responsible for monitoring the performance of Bidders/Proponents and documenting evidence of such performance in accordance with the various Vendor Performance related ISO Standard Operating Procedures.
- 15.2. The Town may, in its sole discretion, reject a Bid from a Bidder/Proponent if:
 - 15.2.1. the Bidder/Proponent has not performed works for previous Contracts in compliance with the Contract Documents;
 - 15.2.2. the Bidder/Proponent has previously provided Goods/Services in an unsatisfactory manner;

15.2.3. the Bidder/Proponent failed to satisfy an outstanding debt/obligation to the Town;

15.2.4. there have been past bad dealings between the Town and the Bidder/Proponent;

15.2.5. the Town determines that the Bidder/Proponent does not have sufficient experience in the supply of the Goods/Services; or

15.2.6. the Town has concerns with the financial ability of the Bidder/Proponent to perform the Contract.

15.3. Rejection of a Bid, for any of the above noted situations, must be substantiated by written documentation related to Bidder/Proponent performance of a Contract where applicable.

15.4. Rejection of a Bid for performance, shall be approved by the appropriate Department Head and the Manager of Purchasing.

16. REVIEW PROCESS

16.1. This By-law and the various procurement related ISO Standard Operating Procedures will be reviewed and if necessary, revised on an annual basis.

16.2. While this will not preclude an earlier review, it does establish a time frame to ensure both the Purchasing By-law and the various procurement related ISO Standard Operating Procedures are fully reviewed on a periodic basis, so that any necessary enhancements can be made.

By-law Number 130-2008 be repealed.

READ a first and second time this
Eighth day of March, 2010.

READ a third time and passed this
Eighth day of March, 2010.

Mayor

D-Clerk

APPENDIX "A" - BID IRREGULARITIES

BY-LAW NO. 35-2010

IRREGULARITY		RESPONSE/ACTION
1	Late Bid.	> Automatic rejection. > Bid is returned unopened to the Bidder. > If it is impossible to determine the name/address of the Bidder on the outside of the sealed package, the package will be opened to obtain this information. The document will then be returned with advice related to the rejection.
2	Unsealed Bid Envelope/Package and/or fax or electronic delivery of Bid submission.	> Automatic rejection, unless the Bid Document specifically permits unsealed/faxed/electronic Bids.
3	Failure to attend Mandatory site Meeting.	> Automatic Rejection.
4	Bids completed and/or signed using erasable medium.	> Automatic Rejection.
5	Part Bid (all items not bid).	> Automatic Rejection, unless the Bid Document specifically permits part Bids.
6	Qualified Bid. Bid is restricted by a counter offer in the form of a; covering letter; statement; alteration; reservation; condition; out of scope alternative which has been included with the Bid, or added to any page of the Bid.	> Automatic Rejection, unless the Bid Document specifically permits such qualifications; or in the opinion of the Manager of Purchasing, the qualification or restriction is trivial or not significant.
7	Failure to include the signature of the person authorized to bind the Bidder, on the Tender/Quotation/Proposal Submission Form provided in the Bid Document.	> Automatic Rejection.
8	Failure to include the signature of the person authorized to bind the Bidder, on the Declaration Form, or the Declaration Form is not included with the Bid submission.	> The Bidder will be allowed a reasonable amount of time to provide the signed Declaration Form. If the Bidder fails to do so within the agreed time period, the Bid will be rejected.
9	Signature is not an original, signed in ink. (ie. signature reproduced by mechanical or electronic means)	> The Bidder will be allowed a reasonable amount of time to come in to sign the Bid in ink. If the Bidder fails to do so within the agreed time period, the Bid will be rejected.
10	Failure of the Bidder to acknowledge and provide for all addenda issued to the Bidder.	> Automatic rejection, unless every change as sent out in all of the addenda, is clearly visible on the face of the Bid or the information in the addenda is not material to the Award or the addendum was issued solely for the purpose of revising the Official Closing Time.
11	Bid received on documents other than those original Bid Documents as issued and provided by the Town.	> Automatic rejection, unless a Bid is received on a "true copy" (not retyped) of the original Bid Document as issued by the Town. Signature of the Bidder must be an original and signed in ink.
12	Erasures, changes, overwriting, white-outs, cross-outs or strike-outs, which are not initialed by the Bidder. (ie. unit prices, lump sum prices, or other items in the Bid Document)	> Where, at the sole discretion of the Manager of Purchasing, the changes are clear and unambiguous, the Bidder will be allowed time to initial the changes. If the Bidder fails to do so within the agreed time period, the Bid will be rejected.
13	Failure by the Bidder to provide all names of sub-contractors it proposes to use on a project.	> Unless otherwise specified in the Bid Document, the Bidder will be allowed a reasonable amount of time to provide the names of the sub-contractors. If the Bidder fails to do so within the agreed time period, the Bid will be rejected.

APPENDIX "A" - BID IRREGULARITIES

BY-LAW NO. 35-2010

IRREGULARITY		RESPONSE/ACTION
14	<p>Bid Security:</p> <ul style="list-style-type: none"> > is not provided; > is not an original; > the amount provided is insufficient; > it does not name the Town as Obligee; > Security Company is not licensed to do business in Ontario; > is not executed by the Security Company with an original signature or the corporate seal of the Security Company > is not in a form acceptable to the Town (ie. Bid Bond, Certified Cheque, Cash, Irrevocable Letter of Credit, Letter of Intent) 	> Automatic Rejection.
15	<p>Bid Security:</p> <ul style="list-style-type: none"> > is not executed by the Bidder with an original signature and corporate seal of the Bidder. 	> The Bidder will be allowed a reasonable amount of time for the signature/corporate seal to be applied to the original document. If the Bidder fails to do so within the agreed time period, the Bid will be rejected.
16	<p>Bid Security:</p> <ul style="list-style-type: none"> > is not in compliance with the number of days open for acceptance as stated in the Bid Document. 	> The Bidder will be allowed a reasonable amount of time to resubmit an original replacement Security with the correct number of days open for acceptance. If the Bidder fails to do so within the agreed to time period, the Bid will be rejected.
17	<p>Agreement to Bond [Performance/Labour & Materials Payment]:</p> <ul style="list-style-type: none"> > is not provided; > is not an original; > the amount provided is insufficient; > it does not name the Town as Obligee; > Security Company is not licensed to do business in Ontario; > is not executed by the Security Company with an original signature or the corporate seal of the Security Company; > is not in a form acceptable to the Town. 	> Automatic Rejection.
18	<p>Failure of the Bidder to provide evidence, satisfactory to the Town, of qualifications to perform the work as specified in the Bid Document.</p>	> Automatic Rejection.
19	<p>Failure of the Bidder to provide evidence, satisfactory to the Town, of past experience in performing the work as specified in the Bid Document, as a result of reference checks, etc.</p>	> Automatic Rejection.
20	<p>Failure of the Bidder to meet the minimum specifications as detailed in the Bid Document.</p>	> Automatic Rejection.
20	<p>Failure of the Bidder to provide the specified number of copies of documentation, as detailed in the Bid Document.</p>	> Unless otherwise specified in the Bid Document, the Bidder will be allowed a reasonable amount of time to provide the number of copies as specified. If the Bidder fails to do so within the agreed time period, the Bid will be rejected.
21	<p>Failure of the Bidder to meet any of the mandatory requirements as specified in the Bid Document.</p>	> Automatic Rejection.

APPENDIX "A" - BID IRREGULARITIES

BY-LAW NO. 35-2010

IRREGULARITY		RESPONSE/ACTION
22	Arithmetic Errors	<p>> Where there is a discrepancy between unit, stipulated, or lump sum prices and the extension calculation; the unit, stipulated, or lump sum prices will prevail.</p> <p>> The Town shall make corrections to the extension total and to correct the total tax calculation and total bid amounts accordingly. All Bidders will be bound by such corrections.</p>
23	Unit Price, Stipulated Price or Lump Sum Price is missing.	> Automatic Rejection, unless the Bid Document specifically allows for partial Bids.
25	Unit Prices, Supplementary Prices, Provisional Prices, Alternate Prices, etc., are unbalanced or substantially lower than market value providing for an unbalanced Bid.	<p>> The Bidder will be allowed a reasonable amount of time to provide an explanation for such pricing methodology. If the Bidder fails to do so within the agreed time period and if the explanation is, in the opinion of the Manager of Purchasing, not reasonable, or if the application of such unit, supplementary, provisional, alternative, or other such prices will adversely affect the Contract value or acceptance of the Bid will cause undue hardship to the Bidder, the Bid will be rejected.</p>
26	Interpretation of the information contained in a Bid submission suggests a major mistake may have been made.	Determination of the response/action to be taken will be considered on a per case basis, in consultation with the Town's Solicitor.
27	Other irregularities. (The above noted list of irregularities should not be construed to be all inclusive.)	<p>> The Manager of Purchasing or designate, in consultation with the operating Department and/or the Town's Solicitor, will review irregularities not listed.</p> <p>> The Manager of Purchasing or designate, shall have the authority to waive irregularities in a Bid in order to accept a substantially compliant Bid; or reject Bids with irregularities deemed to be major.</p>

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 36-2010

Being a By-Law to appoint By-law Enforcement Officers for certain purposes
(Parking Regulations – Town Streets, 110 Old Kingston Road, 1-90 Ventura Lane,
OCC#1 [2-76 Deacon Lane, 1-26 Reygate Court and 1-13 Newing Court])

WHEREAS pursuant to the provisions of section 15 of the Police Services Act, R.S.O. 1990, chapter P.15, as amended, a municipal Council may appoint persons to enforce the By-laws of the municipality who shall be Peace Officers for the purpose of enforcing the municipal By-laws;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF AJAX ENACTS AS FOLLOWS;

1. The following persons are hereby appointed as Municipal Law Enforcement Officers in and for the Town of Ajax and are hereby authorized to enter at all reasonable times upon the lands known as, 110 Old Kingston Road, 1 to 90 Ventura Lane, OCC#1 [2-76 Deacon Lane, 1-26 Reygate Court and 1-13 Newing Court], and all Town streets, in the Town of Ajax, in the Regional Municipality of Durham, in order to ascertain whether the provisions of By-law 5-2004, as amended, are obeyed and to enforce or carry into effect the said By-law;

Jeyachchandran Manikasingham	Bill Dimkovski
Steve Dimkovski	Paul Smith
Mile Tasovsk	Steven Leach
Chris Dimkovski	Maurice Wilson
Michael Dimkovski	Anand Ally
Richard Bell	Terrence Hunter

2. The authority granted in Section 1 hereto is specifically limited to that set out in Section 1, and shall not be deemed, at any time, to exceed the authority set out in Section 1.
3. These appointments shall expire upon those persons set out in Section 1 ceasing to be an employee of Knights on Guard Protective Services Corp. or Knights on Guard Protective Services Corp. ceasing to be an authorized agent of the Town of Ajax, 110 Old Kingston Road, 1 to 90 Ventura Lane or OCC#1 [2-76 Deacon Lane, 1-26 Reygate Court and 1-13 Newing Court].
4. By-law Number 24-2010 is hereby repealed.

READ a first and second time this
Eighth day of March, 2010.

READ a third time and passed this
Eighth day of March, 2010.

Mayor

D-Clerk

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 37-2010

Being a By-Law to appoint By-law Enforcement Officers for certain purposes
(Parking Regulations – 314 Harwood Avenue South, DCC#34 [44 Falby Court])

WHEREAS pursuant to the provisions of section 15 of the Police Services Act, R.S.O. 1990, chapter P.15, as amended, a municipal Council may appoint persons to enforce the by-laws of the municipality who shall be Peace Officers for the purpose of enforcing the municipal By-laws;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF AJAX ENACTS AS FOLLOWS;

1. The following persons are hereby appointed as Municipal Law Enforcement Officers in and for the Town of Ajax and are hereby authorized to enter at all reasonable times upon the lands known as 314 Harwood Avenue South and DCC#34 [44 Falby Court], in the Town of Ajax, in the Regional Municipality of Durham, in order to ascertain whether the provisions of By-law 5-2004, as amended, are obeyed and to enforce or carry into effect the said By-law;

Stavrakis Panayiotous
Larry Sherwin
Syed Zaidi
Nick Koitsopoulos

2. The authority granted in Section 1 hereto is specifically limited to that set out in Section 1, and shall not be deemed, at any time, to exceed the authority set out in Section 1.
3. These appointments shall expire upon those persons set out in Section 1 ceasing to be an employee of Paragon Security, or upon Paragon Security ceasing to be an authorized agent of 314 Harwood Avenue South and DCC#34 [44 Falby Court].
4. By-law Number 136-2009 is hereby repealed.

READ a first and second time this
Eighth day of March, 2010.

READ a third time and passed this
Eighth day of March, 2010.

Mayor

D-Clerk

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 38- 2010

Being a By-Law to authorize the Mayor and Clerk to execute the Municipal Funding Agreement for the Transfer of Federal Gas Tax Revenues Under The New Deal For Cities and Communities

WHEREAS the original Municipal Funding Agreement for the Transfer of Federal Gas Tax Revenues between the Association of Municipalities of Ontario (AMO) and the Corporation of the Town of Ajax, authorized by By-Law 144-2005, was passed November 28, 2005;

AND WHEREAS this agreement facilitated the federal investment in environmentally sustainable municipal infrastructure through the use of the federal gas tax;

AND WHEREAS it is deemed expedient to extend this funding program, subject to the execution of an amending agreement between the Association of Municipalities of Ontario and the Corporation of the Town of Ajax;

NOW THEREFORE the Council of the Corporation of the Town of Ajax enacts as follows:

1. The Mayor and the Clerk are authorized to execute the Amending Agreement to the Municipal Funding Agreement for the Transfer of Federal Gas Tax Revenues Under The New Deal For Cities and Communities between the Association of Municipalities of Ontario and the Corporation of the Town of Ajax attached to this by-law as Schedule "A".

READ a first and second time this Eighth day of March, 2010.

READ a third time and passed this Eighth day of March, 2010.

Mayor

D-Clerk

THIS AMENDING AGREEMENT made in duplicate this _____ day of _____, 2010.

BETWEEN:

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO
(referred to herein as "AMO")

-and-

THE CORPORATION OF THE TOWN OF AJAX
(referred to herein as the "Recipient")

WHEREAS Canada, Ontario and Ontario municipalities, as represented by AMO and Toronto entered into an Agreement for the Transfer of Federal Gas Tax Revenues Under the New Deal for Cities and Communities on June 17, 2005 (amended on June 20, 2007) (the "Canada-Ontario-AMO-Toronto Agreement"), whereby AMO agreed to administer funds on behalf of Ontario municipalities made available pursuant to the Canada-Ontario-AMO-Toronto Agreement on behalf of Canada;

WHEREAS the Canada-Ontario-AMO-Toronto Agreement outlines a framework for the transfer of funds to Ontario municipalities, represented by AMO and Toronto with stable, reliable and predictable funding for environmentally sustainable infrastructure purposes;

WHEREAS Canada, Ontario and Ontario municipalities, represented by AMO and Toronto have amended the Canada-Ontario-AMO-Toronto Agreement on September 3, 2008, in order to confirm municipalities' Gas Tax Fund allocations to 2014;

AND WHEREAS AMO and the Recipient have previously entered into a Municipal Funding Agreement for the Transfer of Federal Gas Tax Revenues Under the New Deal for Cities and Communities;

NOW THEREFORE this Amending Agreement witnesseth that:

1. The preamble forms an integral part of this Amending Agreement.
2. Terms not defined in this Amending Agreement have the meanings assigned in the Municipal Funding Agreement For the Transfer of Federal Gas Tax Revenues Under The New Deal for Cities and Communities.
 - a. *Audit Statement* definition is deleted and replaced as follows:

"Audit Statement" means a written audit statement to be prepared and delivered to AMO as set out in section 7.1h hereto.

b. *End of Funds* definition is deleted and replaced as follows:

“End of Funds” means March 31, 2014.

c. *Infrastructure Program* definition is deleted and replaced as follows:

“Infrastructure Program” means *Canada's* infrastructure programs in existence at the time of the execution of this *Agreement*.

d. *Large Municipalities* definition is deleted and replaced as follows:

“Large Municipalities” means those Municipalities with a 2006 National Census data population of 500,000 or more including the Regional Municipalities of Durham, Peel and York and the Cities of Hamilton, Mississauga and Ottawa.

e. *Treasurer* definition is added:

“Treasurer” means a municipal treasurer as defined in subsection 286(1) of the *Municipal Act, 2001* (Ontario).

f. *Treasurer's Certificate* definition is added:

“Treasurer's Certificate” means a written statement by the *Treasurer* to be prepared and delivered to *AMO* as set out in section 7.1i hereto and in the form identified in Schedule H attached.

3. Section 2.1 is deleted and replaced as follows:

2.1. **Term.** Subject to any extension or termination of this *Agreement* or the survival of any of the provisions of this *Agreement* pursuant to the provisions contained herein, this *Agreement* shall be in effect from the date set out on the first page of this *Agreement*, up to and including March 31, 2015.

4. Section 3.1c is deleted and replaced as follows:

c. ensure that there is no reduction in capital funding provided by Municipalities for *Municipal Infrastructure*.

5. Section 3.1d is deleted and replaced as follows:

d. In the case of *Recipients* that are *Municipalities* in excess of 100,000 in population, ensure that over the period of January 1, 2010 to March 31, 2014 the *Recipient's* capital spending on *Municipal Infrastructure* shall not fall below its *Base Amount*; and,

6. Section 3.1e is added:

- e. ensure any of its contracts for the supply of services or materials to implement its responsibilities under this *Agreement* shall be awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.
7. Section 4.2 is deleted and replaced as follows:
4.2. **Exception.** For *Large Municipalities*, the list of eligible categories shall consist of no more than two (2) of the categories in Section 4.1 a. to f.
8. Section 5.4 is deleted and replaced as follows:
5.4. **Retention of Receipts.** The *Recipient* shall retain all evidence (such as invoices, receipts, etc.) of payments related to *Eligible Costs* and such supporting documentation must be available to Canada when requested and maintained by the *Recipient* for audit purposes in accordance with the municipal records retention by-law.
9. Section 6.7 is deleted and replaced as follows:
6.7. **Expenditure of Funds.** The *Recipient* shall expend all *Funds* by December 31, 2016.
10. Section 6.8 is deleted and replaced as follows:
6.8. **GST and HST.** The use of *Funds* is based on the net amount of goods and services tax or harmonized sales tax to be paid by the *Recipient* pursuant to the Excise Tax Act (Canada) net of any applicable rebates.
11. Section 7.1h is deleted and replaced as follows:
h. an annual *Audit Statement*, if *Funds* were applied to *Eligible Costs* incurred for *Eligible Projects* in respect of the previous *Municipal Fiscal Year*. An annual *Audit Statement* is to be prepared by the *Recipient's* auditor in accordance with section 5815 of the Canadian Institute of Chartered Accountants Handbook – Special Reports — Audit Reports on Compliance With Agreements, Statutes and Regulations, providing assurance that the terms of the *Agreement* have been adhered to and *Funds* received by the *Recipient* have been spent in accordance with the *Agreement*;
12. Section 7.1i is added:
i. a *Treasurer's Certificate*, if *Funds* were not applied to *Eligible Costs* incurred for *Eligible Projects* in respect of the previous *Municipal Fiscal Year*. A *Treasurer's Certificate* is to be prepared by the *Recipient's Treasurer*, providing assurance that activity related to sections 6.4, 6.5, and 11 has been conducted within the terms and conditions of the *Agreement*.
13. Section 7.2 is deleted and replaced as follows:
7.2. **Outcomes Report.** The *Recipient* shall account in writing for outcomes

achieved as a result of the Funds through an *Outcomes Report* to be submitted to AMO upon completion of an *Eligible Project* and to be made available publicly in manner consistent with financial reporting under the *Municipal Act, 2001* S.O. 2001 c.25 by March 31st of the following *Municipal Fiscal Year*.

a. The *Recipient's Outcomes Report* shall report in writing on the cumulative investments made, in a manner to be provided by AMO, including information on the degree to which these investments have actually contributed to the objectives of cleaner air, cleaner water and reduced greenhouse gas emissions.

14. Section 9.2 is deleted and replaced as follows:

9.2. **Separate Records.** The *Recipient* shall maintain separate records and documentation for the *Funds* and keep all records including invoices, statements, receipts and vouchers in respect of *Eligible Projects* that *Funds* are paid in respect of in accordance with the municipal records retention by-law. Upon reasonable notice, the *Recipient* shall submit all records and documentation relating to the *Funds* to Canada for inspection or audit.

15. Notwithstanding the date of execution of this Amendment Agreement, the provisions of this Amending Agreement are in effect as of January 1, 2010 and continue in effect for the duration of the term of the Municipal Funding Agreement For the Transfer of Federal Gas Tax Revenues Under The New Deal for Cities and Communities.

16. Section 14.3 is deleted and replaced as follows:

14.3. **Addresses for Notice.** Further to Section 14.1 of this *Agreement*, notice can be given at the following addresses:

a. If to AMO:

Executive Director
Federal Gas Tax Agreement
Association of Municipalities of Ontario
200 University Avenue, Suite 801
Toronto, ON M5H 3C6

Telephone: 416-971-9856

Facsimile: 416-971-6191

Email: gastax@amo.on.ca

b. If to the Recipient:

Dianne Valentim
Senior Financial Analyst
Town of Ajax
65 Harwood Ave. South
Ajax, ON L1S 2H9

Telephone: (905) 619-2529 x326
Facsimile: (905) 683-0157
Email: Dianne.Valentim@townofajax.com

17. Section 15.4 is deleted and replaced with the following:
15.4 **Survival.** The following schedules, sections and provisions of this agreement shall survive the expiration or early termination hereof: Sections 5, 6.7, 7, 9.3, 10.4, 10.5, 11, 12.3, 15.7, and Schedule G.
18. Section 16.1, Schedule A is amended as attached.
19. Section 16.1, Schedule H is added as attached.
20. Except as amended herein, the provisions of the Municipal Funding Agreement For the Transfer of Federal Gas Tax Revenues Under The New Deal for Cities and Communities remain in full force and effect.

IN WITNESS WHEREOF this *Agreement* has been executed by the duly authorized officers of the parties hereto as of the date first above written.

RECIPIENT'S NAME: THE CORPORATION OF THE TOWN OF AJAX

By:

ffix
orporate
eal

Name:
Title:

Date

Name:
Title:

Date

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO

By:

ffix
orporate
eal

Title: Executive Director

Date

In the presence of:

Witness
Title: Director of Administration
and Business Development

Date

**SCHEDULE A
SCHEDULE OF FUND PAYMENTS**

RECIPIENT'S NAME: The Corporation of the Town of Ajax

The following represents the minimum Funds and schedule of payments over the life of this Amending Agreement.

Year	Schedule of Fund Payments	
	July 15th	November 15th
2010	\$1,382,936.36	\$1,382,936.36
2011	\$1,382,936.36	\$1,382,936.36
2012	\$1,382,936.36	\$1,382,936.36
2013	\$1,382,936.36	\$1,382,936.36

**SCHEDULE H
TREASURER'S CERTIFICATE**

To the Association of Municipalities of Ontario

As the *Treasurer* of the Corporation of <INSERT MUNICIPAL NAME>, I acknowledge that for the 20__ *Municipal Fiscal Year*, there were no *Eligible Costs* incurred for *Eligible Projects* under the *Agreement*.

I confirm that the Corporation of <INSERT MUNICIPAL NAME> received its Federal Gas Tax allocation for the 20__ *Municipal Fiscal Year* within the terms and conditions specified in section 6.4 of the *Agreement*.

I also confirm that the carry-over of unexpended *Funds* followed the terms and conditions of section 6.5 of the *Agreement*. Specifically, the interest earned on unspent funds has been calculated on a reasonable basis, the interest was calculated on a similar basis as other reserve and reserve funds, and that the interest rate used is comparable to the one used for other reserve funds which are required to earn interest.

I also confirm that the title to *Municipal Infrastructure* resulting from *Eligible Projects* is retained by the Corporation of <INSERT MUNICIPAL NAME> as specified under section 11.1 of the *Agreement*.

As the duly appointed *Treasurer* of the Corporation of <INSERT MUNICIPAL NAME> I hereby certify that, as at December 31, 20__, activity related to the Municipal Funding Agreement for the Transfer of Federal Gas Tax Revenues Under the New Deal for Cities and Communities dated <INSERT DATE ON MFA> between the Association of Municipalities of Ontario and the <INSERT MUNICIPAL NAME>, has been conducted within the terms and conditions set out in the *Agreement*.

Name:

Title:

<INSERT MUNICIPAL NAME>

Date

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 39-2010

Being a By-Law to confirm the proceedings of the Council of the Corporation of the Town of Ajax at its regular meeting of March 8, 2010

WHEREAS Section 5 (3) of the *Municipal Act, 2001*, as amended, provides that municipal powers shall be exercised by By-law, unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient and desirable that the proceedings of the Council of the Corporation of the Town of Ajax at this meeting be confirmed and adopted by By-law.

NOW THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a By-law of the Corporation of the Town of Ajax by the Council thereof as follows:

1. That the actions of the Council at its regular meeting held on the 8th day of March, 2010 and in respect of each motion, resolution and other action passed and taken by the Council at its said meeting, is, except where the prior approval of the Ontario Municipal Board or other body is required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
2. That the Head of the Council and proper officers of the Corporation of the Town of Ajax are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain appropriate approvals where required, except where otherwise provided, and to affix the Corporate Seal of the Corporation of the Town of Ajax to all such documents.

READ a first and second time this Eighth day of March, 2010

READ a third time and passed this Eighth day of March, 2010

Mayor

D-Clerk