



## **TOWN OF AJAX REPORT OF THE GENERAL GOVERNMENT COMMITTEE**

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For consideration by the Council of the Town of Ajax on May 16, 2016

The General Government Committee met at 1:30 p.m. on May 9, 2016

Present: Councillor J. Dies, Chair  
Regional Councillor S. Collier  
Regional Councillor C. Jordan  
Councillor M. Crawford  
Councillor R. Ashby  
Councillor P. Brown  
Mayor Parish

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### **1. Call to Order (1:30 p.m.)**

Chair Dies called the meeting to order.

### **2. Disclosure of Pecuniary Interest**

There were no disclosures of pecuniary interests.

The General Government Committee recommends as follows:

#### **Member Motion**

Moved by: C. Jordan

That the Rules of Procedure be suspended in order to consider the following item during the In-Camera session pursuant to Section 239 (2) (b, f) of the *Municipal Act, 2001*, as amended, to discuss matters pertaining to a personal matter about an identifiable individual, including municipal or local board employees, and a matter of advice subject to solicitor-client privilege, including communications necessary for that purpose:

8.3 Confidential Legal and Personnel Matter

CARRIED

### **3. Adoption of In-Camera Minutes, April 11, 2016**

Consideration of these minutes was deferred until the In-Camera portion of the meeting.

#### **4. Consent Agenda**

*Members separated items 4.8, 4.10, and 4.11 for discussion.*

##### **4.1 2016 BIA Levy – Downtown BIA**

Moved by: M. Crawford

That the 2016 budget of \$5,200.00 for the Downtown BIA be approved and that the amount of \$5,212.00 be raised by taxation.

CARRIED

##### **4.2 2016 BIA Levy – Pickering Village BIA**

Moved by: M. Crawford

That the 2016 budget of \$50,000.00 for the Pickering Village BIA be approved, and that the amount of \$47,274.00 be raised by taxation.

CARRIED

##### **4.3 Contract Award – Streetlight Maintenance**

Moved by: M. Crawford

1. That Council award the contract for Streetlight Maintenance, to Aline Utility Limited in the estimated amount of \$324,662.80 (inclusive of all taxes), for a period of one year.
2. That Council authorize Staff to renew the contract for an additional two, one year periods, pending an analysis and satisfactory performance review at the anniversary date of the contract, in the estimated amount of \$678,837.42 (inclusive of all taxes).

CARRIED

##### **4.4 Ajax Winter Tennis – Licence Agreement**

Moved by: M. Crawford

1. That the Mayor and Clerk be authorized to execute the attached Agreement to authorize John Long – Ajax Winter Tennis to install an air supported structure to operate an indoor tennis facility at the existing tennis courts at the Ajax Community Centre.
2. That Staff be delegated the authority to renew the Agreement for an additional 20 years commencing on September 16<sup>th</sup>, 2016 and ending on April 30<sup>th</sup>, 2036, pending an analysis, satisfactory performance review, and successful negotiations on Terms and Conditions, at the anniversary date of the Agreement.

CARRIED

**4.5 Contract Award – Main Branch Library ~ Lighting Retrofit**

Moved by: M. Crawford

1. That Council award the contract for Main Branch Library ~ Lighting Retrofit to BEC Electric Inc., in the estimated amount of \$346,015.04 (inclusive of all taxes).
2. That Council approve funding of \$42,756.99 to be allocated to Capital Account 980011 from Federal Gas Tax Reserve.

CARRIED

**4.6 Doric Pickering Masonic Lodge ~ Restoration  
[Renovation and Expansion of Quaker Meeting House]  
Canada 150 Community Infrastructure Program Contribution Agreement**

Moved by: M. Crawford

WHEREAS the Federal Economic Development Agency for Southern Ontario launched the Canada 150 Community Infrastructure Program on May 15, 2015 to improve and preserve community infrastructure across southern Ontario and to celebrate Canada's 150th anniversary of Confederation in 2017.

WHEREAS the program provides \$44.4 million in funding over two years for rehabilitation, renovation and expansion of existing community infrastructure assets that are non-commercial and located in Southern Ontario;

WHEREAS Council authorized staff on June 4, 2015 to proceed with the funding application submission to the Canada 150 Community Infrastructure Program; and

WHEREAS the Federal Economic Development Agency for Southern Ontario announced funding approval for the Town of Ajax on July 30, 2015;

THEREFORE BE IT RESOLVED THAT Her Majesty The Queen in right of Canada, hereby represented by the Minister responsible for Federal Economic Development Agency for Southern Ontario and The Corporation of the Town of Ajax enter into a contribution agreement for funding under the Canada 150 Community Infrastructure Program.

FEDEDEV Ontario Contribution	Town of Ajax Contribution
\$ 434,800.00	\$ 972,000.00

CARRIED

#### 4.7 **Contract Award – MCC Pool Refurbishment**

Moved by: M. Crawford

That Council award the contract for MCC Pool Refurbishment to Canada Construction Limited in the estimated amount of \$728,993.51 (inclusive of all taxes).

CARRIED

#### 4.8 **Westney Road Landfill Monitoring Program Update**

J. Schofield, Environmental Sustainability Coordinator, and D. Meredith, Director of Operations, responded to questions from Committee members.

##### Amendment

Moved by: C. Jordan

- “2. *That staff report back by the end of the year with further information regarding mitigation measures to control leachate from the Westney Road Landfill.*”

CARRIED

##### Motion as Amended

Moved by: C. Jordan

1. That the Westney Road Landfill Monitoring Program Update be received for information; and
2. **That staff report back by the end of the year with further information regarding mitigation measures to control leachate from the Westney Road Landfill.**

CARRIED

#### 4.9 **Contract Award – Local Road Resurfacing 2016 and Rotary Park Trail/Parking Improvements**

Moved by: M. Crawford

That Council award the contract for Local Road Resurfacing 2016 and Rotary Park Trail/Parking Improvements, to Four Seasons Development Inc. in the amount of \$1,703,197.02 (inclusive of all taxes).

CARRIED

#### 4.10 **Encouraging the Delivery of Affordable Housing in Ajax**

Members directed staff to forward the adopted recommendations to the Region of Durham, all Durham Region lower tier municipalities, and the Association of Municipalities of Ontario.

Moved by: C. Jordan

- 1) That the report to General Government Committee entitled “Encouraging the Delivery of Affordable Housing in Ajax” dated May 9, 2016 be received for information.
- 2) That the Province of Ontario be advised that the Town of Ajax supports the proposed amendments to the *Planning Act* under Bill 39 to authorize the use of inclusionary zoning by local municipalities, to enable the provision of additional affordable housing as a component of privately initiated development proposals, subject to the following:
  - a) That proposed subsection 37.1(2)(b) that includes the requirement that construction require a site-specific by-law or by-law amendment be removed;
3. That upon the passage of provincial legislation that enables the use of inclusionary zoning, that staff be authorized to undertake public consultation to inform the preparation of the requisite supporting official plan policies;
4. That upon the passage of provincial legislation to amend Section 37(1) of the *Planning Act* regarding density bonusing, that staff be authorized to prepare implementation guidelines to provide a consistent municipal approach toward the application of community benefits, including affordable housing, in exchange for increases in height and/or density;
5. That a copy of this report be forwarded to the Ministry of Municipal Affairs and Housing, the Region of Durham Housing Services and the Building Industry and Land Development Association (BILD).

CARRIED

#### **4.11 Manufacturer’s Limited Liquor Sales Licence – Falcon Brewery**

Moved by: C. Jordan

That Council support the issuance of a Manufacturer’s Limited Liquor Sales Licence (“By the Glass”) for Falcon Brewery Company to be located at 30 Barr Road, Ajax; That staff be authorized to provide written notice in support of Falcon Brewing Company to the Alcohol and Gaming Commission of Ontario (AGCO).

CARRIED

#### **4.12 License Agreement for Ajax Community Theatre**

Moved by: M. Crawford

1. That the report entitled License Agreement for Ajax Community Theatre, dated May 9, 2016 be received for information; and,
2. That the Mayor and Clerk be authorized to enter into a License Agreement with Ajax Community Theatre at the Village Community Centre, located at 22 Sherwood Road West, for a period of 31 months, effective June 1, 2016 and expiring December 31, 2018

3. That Staff be delegated the authority to renew the Agreement for an additional four (4) year period, pending an analysis and successful negotiation on terms and conditions at the anniversary date of the Agreement.

CARRIED

#### 4.13 **Bill 181 Revisions to the *Municipal Elections Act***

Moved by: M. Crawford

That the report entitled “Bill 181 Revisions to the *Municipal Elections Act*” be received for information purposes.

CARRIED

### 5. **Discussion**

#### 5.1 **Selby Drive Driveway Issues**

Councillor Crawford discussed driveway widenings in the Selby Drive area that were performed without applications for the necessary relief from the Town’s Zoning By-law. As a result, several properties in the area have been issued compliance notices from By-law Services. Residents may submit minor variance applications to bring their properties into compliance, however the application fee is doubled when the request is for work that has already been completed. Given the large number of affected properties and the specifics of the situation, Councillor Crawford requested that Committee waive the doubling of the fee, provided that the affected residents submit their minor variance applications to the Town no later than June 30<sup>th</sup>, 2016.

Moved by: M. Crawford

That staff be authorized to accept a reduced minor variance fee of \$550 for driveway widenings for 39, 40, 41, 44, 45, 46, 47 Selby Drive and 1131 and 1133 Ravenscroft Road, provided that such applications for a minor variance are received no later than June 30<sup>th</sup>, 2016.

CARRIED

### 6. **Presentations**

#### 6.1 **Duffin Creek Water Pollution Control Plant Outfall EA – Status Update**

Paul Allore, Director of Planning and Development, introduced Dr. Martin Auer, Professor of Civil and Environmental Engineering at Michigan Technological University. Dr. Auer provided a thorough review of the report and recommendations via video conference and discussed the research to date, the Minister’s Order, the Town’s preferred treatment alternative, the need for further study, and participation in the development of the Phosphorous Reduction Action Plan study. Barb Hodgins, Senior Policy Planner, and Dr. Auer responded to questions from Committee members.

Motion

1. That the report titled “Duffin Creek Water Pollution Control Plant Outfall EA-Status Update”, dated May 9, 2016, be endorsed;
2. That the Minister of the Environment and Climate Change be commended for issuing an Order on April 4, 2016 requiring Durham Region and York Region to prepare a “Phosphorus Reduction Action Plan” (PRAP) study for the Duffin Creek Water Pollution Control Plant over the next 9 months, to determine how phosphorus concentrations and loads in effluent can be reduced to the lowest achievable level, in particular, the soluble reactive phosphorus that fuels excessive *Cladophora* algal growth, prior to discharge from the Plant’s outfall;
3. That the Ministry be requested to permit the Town to participate in the preparation of the Terms of Reference for the PRAP study and in the PRAP study process;
4. That the Ministry also be requested to extend the comment period for the PRAP study, from 45 days to at least 90 days, to allow for review and the preparation and submission of written comments to the Minister and the Regions, and to require the Regions to advise the Town of Ajax and all other Part II Order Requesters in writing when and where the study will be posted for review and comment; and,
5. That this staff report be sent to the Minister of the Environment and Climate Change Glen Murray, Paul Nieweglowski (Assistant Deputy Minister, Operations Division, MOECC), Kathleen Hedley (Director, Environmental Approvals Branch, MOECC), MP Mark Holland, MP Jennifer O’Connell, MPP Joe Dickson, MPP Tracey MacCharles, Durham Region, York Region, the City of Pickering, the Town of Whitby, Pickering Ajax Citizens Together to Protect Our Water (PACT POW) and the other Part II Order Requesters, the International Joint Commission, the Great Lakes Executive Committee, Ontario’s Environment Commissioner, Lake Ontario Waterkeeper, Sierra Club, Ecojustice, Environmental Defence, Council of Canadians, Ajax Environmental Advisory Committee, Durham Region Environmental Advisory Committee, Alliance for the Great Lakes, Great Lakes and St. Lawrence Cities Initiative, Toronto and Region Conservation Authority, Central Lake Ontario Conservation Authority, Conservation Ontario, the Great Lakes Guardians Council and other interested parties.

Amendment

Moved by: C. Jordan

That clause 3 be deleted and replaced with the following:

- “3. *That the Ministry and the Regions of Durham and York be advised that the Town of Ajax requests to be fully engaged in the preparation of the Terms of Reference and to participate throughout the entire PRAP Study, and be represented by Dr. Martin T. Auer of Michigan Technological University, who will provide technical expertise and municipal input.*”

CARRIED

Motion as Amended

1. That the report titled “Duffin Creek Water Pollution Control Plant Outfall EA-Status Update”, dated May 9, 2016, be endorsed;
2. That the Minister of the Environment and Climate Change be commended for issuing an Order on April 4, 2016 requiring Durham Region and York Region to prepare a “Phosphorus Reduction Action Plan” (PRAP) study for the Duffin Creek Water Pollution Control Plant over the next 9 months, to determine how phosphorus concentrations and loads in effluent can be reduced to the lowest achievable level, in particular, the soluble reactive phosphorus that fuels excessive *Cladophora* algal growth, prior to discharge from the Plant’s outfall;
3. **That the Ministry and the Regions of Durham and York be advised that the Town of Ajax requests to be fully engaged in the preparation of the Terms of Reference and to participate throughout the entire PRAP Study, and be represented by Dr. Martin T. Auer of Michigan Technological University, who will provide technical expertise and municipal input;**
4. That the Ministry also be requested to extend the comment period for the PRAP study, from 45 days to at least 90 days, to allow for review and the preparation and submission of written comments to the Minister and the Regions, and to require the Regions to advise the Town of Ajax and all other Part II Order Requesters in writing when and where the study will be posted for review and comment; and,
5. That this staff report be sent to the Minister of the Environment and Climate Change Glen Murray, Paul Nieweglowski (Assistant Deputy Minister, Operations Division, MOECC), Kathleen Hedley (Director, Environmental Approvals Branch, MOECC), MP Mark Holland, MP Jennifer O’Connell, MPP Joe Dickson, MPP Tracey MacCharles, Durham Region, York Region, the City of Pickering, the Town of Whitby, Pickering Ajax Citizens Together to Protect Our Water (PACT POW) and the other Part II Order Requesters, the International Joint Commission, the Great Lakes Executive Committee, Ontario’s Environment Commissioner, Lake Ontario Waterkeeper, Sierra Club, Ecojustice, Environmental Defence, Council of Canadians, Ajax Environmental Advisory Committee, Durham Region Environmental Advisory Committee, Alliance for the Great Lakes, Great Lakes and St. Lawrence Cities Initiative, Toronto and Region Conservation Authority, Central Lake Ontario Conservation Authority, Conservation Ontario, the Great Lakes Guardians Council and other interested parties.

CARRIED

RECORDED VOTE:

In Favour: Regional Councillor Jordan, Councillor Ashby, Councillor Brown, Regional Councillor Collier, Councillor Crawford, Councillor Dies, Mayor Parish  
Opposed: None

**7. Departmental Updates**

None



## **In-Camera**

### **8. Authority to hold a Closed Meeting and Related In-Camera Session**

Moved by: C. Jordan

That the Committee convene In-Camera pursuant to Section 239 (2) (b,d,f) of the *Municipal Act, 2001*, as amended, to discuss personal matters about an identifiable individual, including municipal or local board employees, labour relations or employee negotiations, and advice subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

### **3. Adoption of In-Camera Minutes, April 11, 2016 (deferred from Open Meeting)**

#### **8.1 Duffin Creek Water Pollution Control Plant Outfall EA Status Update**

#### **8.2 Ajax Fire & Emergency Services Collective Bargaining Update**

#### **8.3 Confidential Legal and Personnel Matter**

## **Open Meeting**

### **Ratify Actions Taken In-Camera (4:30 p.m.)**

Moved by: S. Collier

That all actions approved in the In-Camera Session be ratified.

CARRIED

### **3. Adoption of In-Camera Minutes**

Moved by: C. Jordan

That the Minutes of the In-Camera meeting of the General Government Committee held on April 11, 2016 be adopted.

CARRIED

#### **8.2 Ajax Fire and Emergency Services Collective Bargaining Update**

Moved by: S. Parish

That Council ratify the Ajax Professional Fire Fighters Association (A.P.F.F.A.) contract changes and renew the Collective Agreement, effective January 1, 2016 to December 31, 2018.

CARRIED

**9. Adjournment (4:35 p.m.)**

Moved by: S. Collier

That the May 9, 2016 meeting of the General Government Committee be adjourned.

CARRIED

J. Dies, Chair