



The Regional Municipality of Durham

COUNCIL INFORMATION PACKAGE

July 28, 2017

Information Reports

- [2017-INFO-79](#) Commissioners of Planning and Economic Development and Finance – re: Bill 139, Building Better Communities and Conserving Watersheds Act, 2017;
Ontario Municipal Board Reform Initiative – Environmental Bill of Rights Registry No. 013-0590;
Amendments to the Conservation Authorities Act – Environmental Bill of Rights Registry No. 013-056;
Conservation Authorities Act Review Document, “Conserving Our Future: A Modernized Conservation Authorities Act” – Environmental Bill of Rights Registry No. 012-7583

Early Release Reports

There are no Early Release Reports

Staff Correspondence

1. [Memorandum from Susan Siopis, Commissioner of Works](#) – Open for Business Brochure
2. [Memorandum from Dr. R. Kyle, Commissioner and Medical Officer of Health](#) – Expert Panel Report on Public Health

Durham Municipalities Correspondence

1. [Municipality of Clarington](#) – re: Notice of Public Information Workshop – Comprehensive Waterfront Emergency Plan

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1. [City of Owen Sound](#) – re: Support Resolution – Request for Economic Impact Analysis

2. [Lake Simcoe Region Conservation Authority](#) – Advising that the Township of Ramara has appealed the Lake Simcoe Region Conservation Authorities (LSRCA) levy apportionment for 2007 and has informed LSRCA that it no longer wishes to be a member
3. [Lake Simcoe Region Conservation Authority](#) – Resolution passed at their Council meeting held on July 18, 2017, re: Correspondence from LSRCA – Township of Ramara 2017 LSRCA Levy Apportionment to the Ontario Mining and Lands Commissioner

Miscellaneous Correspondence

There is no Miscellaneous Correspondence

Advisory Committee Minutes

1. Accessibility Advisory Committee (AAC) minutes – [June 27, 2017](#)

Action Items from Council (For Information Only)

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

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



The Regional Municipality of Durham Information Report

From: Commissioner of Planning and Economic Development and
Commissioner of Finance
Report: #2017-INFO-79
Date: July 28, 2017

Subject:

Bill 139, Building Better Communities and Conserving Watersheds Act, 2017, File L01-02

Ontario Municipal Board Reform Initiative – Environmental Bill of Rights Registry No. 013-0590

Amendments to the Conservation Authorities Act – Environmental Bill of Rights Registry No. 013-0561

Conservation Authorities Act Review Document, “Conserving Our Future: A Modernized Conservation Authorities Act” – Environmental Bill of Rights Registry No. 012-7583

Recommendation:

Receive for information

Report:

1. Purpose

1.1 The purpose of this report is to advise Council that the Province has introduced legislation (Bill 139) to update the land use planning appeal system and to modernize the *Conservation Authorities Act*. The Bill has been structured to contain the proposed changes in five separate schedules:

- Schedule 1 – creates the *Local Planning Appeal Tribunal Act, 2017* (i.e. repeals the Ontario Municipal Board Act);
- Schedule 2 – creates the *Local Planning Appeal Support Centre Act, 2017*;
- Schedule 3 – makes changes to the *Planning Act, City of Toronto Act*,

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- 2006, and the *Ontario Planning and Development Act, 1994*;
 - Schedule 4 – makes changes to the *Conservation Authorities Act*; and
 - Schedule 5 – makes consequential changes to various Acts.
- 1.2 On May 30, 2017 the Province introduced Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017* (the Bill). The Bill, if passed, would abolish the Ontario Municipal Board (OMB) and its functions, and establish a new appeals tribunal intended to give communities a stronger voice in land use planning. The Bill also makes changes that would modernize the *Conservation Authorities Act* and guide the conservation of Ontario’s watersheds. The Province also released a companion document entitled “Conserving Our Future: A Modernized Conservation Authorities Act” (copies of the CA Act companion document may be downloaded at <http://apps.mnr.gov.on.ca/public/files/er/mnrf-17-044-conserving-our-future-en.pdf>). The companion document sets out a suite of legislative, regulatory, policy and program changes proposed as a result of the *Conservation Authorities Act* review. This report provides an overview of the key highlights of this omnibus Bill and companion document.
- 1.3 Public comments on the Bill’s proposed amendments to the *Conservation Authorities Act*, including the CA Act companion document, and the amendments associated with the OMB reform will be accepted until July 31 and August 14, 2017, respectively. Given that the consultation periods are being conducted through Council’s summer recess, the Province did not provide an adequate timeframe to bring a recommendation report forward to Committee on the proposed amendments. As a result, Regional staff’s comments have been forwarded directly to the Province in order to meet the respective commenting deadlines (see Attachments 1 and 2).

2. Background

OMB Reform Initiative

- 2.1 In October 2016, the Ministry of Municipal Affairs (MMA) released a document entitled “Review of the Ontario Municipal Board – Public Consultation Document”. The Region responded with comments in December 2016 (Report #2016-COW-85). At that time, the Province was seeking feedback on the following themes:
- The OMB’s jurisdiction and powers;
 - Citizen participation and local perspective;
 - Clear and predictable decision-making;

- Modern procedures and faster decisions; and
- Alternative dispute resolution and fewer hearings.

2.2 Provincially-led consultation resulted in over 1,100 submissions and more than 700 people attending town hall meetings. The proposed amendments within the Bill are primarily based on the suggested changes presented in the Public Consultation Document and on the feedback received during the OMB review. Section 3 of this report provides the key highlights resulting from the OMB Reform Initiative.

Modernizing the Conservation Authorities Act

2.3 In July 2015, the Ministry of Natural Resources and Forestry (MNRF) released the Conservation Authorities Act Discussion Paper. The Region responded with comments in October 2015 (Report #2015-J-49) in response to the following themes:

- Governance;
- Funding mechanisms; and
- Roles and responsibilities.

2.4 Building on feedback from the Discussion Paper, in May 2016 MNRF released a consultation document entitled “Conserving our Future: Proposed Priorities for Renewal”. The Region responded with comments in September 2016 (Report #2016-COW-12) to address the following proposed priority actions:

- Strengthening oversight and accountability;
- Increasing clarity and consistency;
- Improving collaboration and engagement;
- Modernizing funding mechanisms; and
- Enhancing flexibility for the Province.

2.5 Provincially-led consultations resulted in over 270 submissions and more than 2,700 specific comments related to the review. The proposed amendments within the Bill are primarily based on this input from stakeholders including Indigenous communities and the public. Section 4 of this report provides the key highlights resulting from the modernization of the *Conservation Authorities Act*.

3. Key Highlights of the OMB Reform Initiative

3.1 The Bill proposes to introduce new legislation to replace the OMB with the Local Planning Appeal Tribunal (the Tribunal), and make amendments to existing

legislation (i.e. the *Planning Act*) to give communities a stronger voice in land use planning. If passed, the proposed changes are intended to provide a faster, fairer and more affordable planning appeals process by:

- Giving more weight to local and provincial decisions by changing the standard of review – the grounds for appeal on major matters would be limited to their failure to conform, or be consistent with, provincial and local policies;
- Giving municipal elected officials greater control over local planning by exempting a broader range of municipal land use decisions from appeal;
- Amending the *Planning Act* to substantially eliminate “de novo” hearings and have the Tribunal act as a true appeals body; and
- Making planning appeals more accessible to the public by creating the Local Planning Appeal Support Centre, a new not-for-profit corporation that would provide free legal and planning advice, as well as representation to citizens who may want to participate in local planning appeals.

Giving Local Communities and Councils a Stronger Voice

- 3.2 The new Tribunal would function as a true appeals body by eliminating the former OMB model of “de novo” hearings from decisions of Council (appeals of non-decisions still stand to lead to a “de novo” hearing by the Tribunal). Previously for an appeal to the OMB, the Board’s decision had to “have regard to” decisions of municipal councils and to any supporting information and material that was before a municipal council relating to that same planning matter. Under the new model, the Tribunal would be required to uphold the decisions of local communities and council solely on the basis of whether the municipal decision meets the minimum standard of conformity to applicable provincial policy and/or official plan.
- 3.3 The Tribunal would only be able to overturn a municipal decision if it was not consistent with provincial policies or municipal plans. This approach would depart from the current “standard of review” for land use planning appeals, where the OMB is permitted to overturn a municipal decision whenever it finds that the municipality did not reach the “best” planning decision (based on the opinion of the appointed Board member).
- 3.4 In the case of an appeal where the Tribunal concludes the municipal decision did not conform, or was not consistent with provincial policies or municipal plans, the Tribunal would be required to return the matter to the municipality with written rationale for their decision. Based on the Tribunal’s decision, the municipality would

then have 90 days to make a new decision on an application that was more consistent with provincial/municipal plans and policies. Previously under the OMB model, the Board would replace a municipality's decision with their own. While Regional staff support the proposed requirement to send matters back to the municipality for a second decision, the 90-day timeframe may not be sufficient in the event that Council elects to make an amendment to the initial decision or feels that more public consultation is required. The 90-day timeframe should be extended to 180 days to allow for a sufficient review, consultation and amendment process.

- 3.5 The Tribunal would retain the authority to make a final decision on land use planning matters only when, on a second appeal, the municipality's subsequent decision still fails to be consistent with provincial/municipal plans and policies.
- 3.6 Notwithstanding significant updates made to the four provincial plans (i.e. Growth Plan, Greenbelt Plan, ORMCP, etc.) through the recent Co-ordinated Plans Review, provincial plans and other provincial planning policy statements generally use purposefully broad language and directions. Given that conformity to such provincial plans (and subsequent municipal plans) will now be the only test for success or failure of an appeal, greater specificity within the documents and detailed guidelines may be necessary to determine conformity. For example, new policies introduced for measuring and achieving density targets around Major Transit Station Areas lack detailed guidelines. In addition, it remains to be seen how climate change policies will be implemented by upper- and single-tier municipalities, and how those policies may impact lower-tier municipalities and their requirement to conform to those policies. Without further details, by way of policy or guidelines, it may be a challenge for the Tribunal to find adequate guidance in the policy framework for the resolution of specific issues under appeal.

Faster, Fairer and More Affordable Planning Appeals

- 3.7 In order to reduce the length and cost of hearings, the Bill introduces major changes to the way land use planning appeals are conducted. The Tribunal will have the authority to require case management conferences to narrow the issues and encourage case settlement. Case management conferences will be mandatory for appeals related to official plans, zoning by-laws or plans of subdivision.
- 3.8 The Tribunal will be given authority to conduct hearings that are alternatives to traditional adjudicative or adversarial procedures, such as holding hearings or other proceedings in writing or by any electronic means (i.e. teleconference). In addition, the Minister may make regulations regarding the conduct of hearings, including

restricting the need for, and timelines associated with, oral proceedings and limiting evidence to written materials in the majority of cases. All evidence (i.e. written or oral) can speak only to the matter of conformity with Provincial policy or plans and is no longer about the principles of “good planning”.

3.9 In addition, the Bill seeks to create a more level playing field for all tribunal appeal participants by establishing the “Local Planning Appeal Support Centre”. Modelled after the Human Rights Legal Support Centre, the Local Planning Appeal Support Centre will be a non-share (i.e. not-for-profit) corporation mandated to provide free, independent planning and legal advice and/or representation on land use planning appeals. The Support Centre would deliver the following services:

- Providing citizens with general information on land use planning;
- Offering guidance to citizens on the Tribunal appeal and hearing process; and
- Providing legal and planning advice at different stages of the Tribunal process, including representation in certain cases, at case conferences and hearings.

3.10 Further details with regards to the establishment of the Support Centre, including timing, location, provision and eligibility of support services are forthcoming through future regulations and policies. It is imperative that the Support Centre receive adequate resourcing and funding to provide the necessary support to parties to ensure meaningful participation in the appeal process. The Support Centre should be fully funded by the Province with no funding required from municipalities.

Sheltering Major Planning Decisions from Appeal

3.11 To provide municipalities with greater certainty and timely implementation of major decisions, the Bill includes measures to exempt a broad range of major municipal land use planning decisions from appeal. The following matters would no longer be appealable under the proposed legislation:

- Provincially approved official plans and major official plan updates;
- Approvals of conformity exercises to provincial plans; and
- Minister’s Zoning Orders.

3.12 In addition, the proposed legislation would restrict the ability to appeal or amend land use planning decisions in the following circumstances:

- Limiting applications to amend new secondary plans for the first two years

(unless otherwise permitted by municipal council);

- Restricting appeals of municipal interim control by-laws, when first passed for a period up to one year. Any person or public body who is given notice of the extension of the interim by-law may appeal the extension; and
- Restricting appeals of official plan policies and zoning by-laws that support appropriate development around major transit station areas (e.g. along bus rapid transit corridors or GO train stations), with the exception of appeals by the Province.

3.13 In addition to the ability to deal with appeals of minor variances and consents, proposed amendments expand the authority of local appeal bodies to hear matters related to site plan control.

4. Key Highlights of the Proposed Amendments to the Conservation Authorities Act

4.1 CAs have an important role in supporting the conservation, restoration, development and management of natural resources in Ontario, and in protecting Ontarians from water-related natural hazards. MNRF has undertaken an extensive review of the roles, responsibilities, funding and governance of CAs. To ensure that CAs can continue to meet the needs of communities, the Bill proposes to modernize the *Conservation Authorities Act* framework by:

- Strengthening oversight and accountability in CA decision making;
- Increasing clarity and consistency in CA programs and services;
- Increasing clarity and consistency in regulatory requirements;
- Enhancing collaboration and engagement; and
- Modernizing funding mechanisms.

4.2 As outlined in Bill 139 and the CA Act companion document, “Conserving our Future: A Modernized Conservation Authorities Act”, the Province indicates that the proposed actions to modernize the *Conservation Authorities Act* framework will involve legislative changes, regulatory changes, policy, procedure and program changes that will be advanced over the next several years following further consultation.

Oversight and Accountability in Decision-Making

4.3 The following five actions are proposed to strengthen oversight and accountability:

- Updating appointment processes and requirements;

- Updating CA governance practices;
- Enabling the MNRF to conduct program and operational reviews;
- Updating guidance to CAs, municipalities, stakeholders and the public on the use of dispute resolution mechanisms; and
- Updating the expectations for CA restructuring decisions (e.g. creation, enlargement, amalgamation and dissolution of a CA).

- 4.4 Specifically, Bill 139 introduces new powers to allow CAs to enact by-laws regarding its governance, including meetings, employees, officers and its executive committee. Term appointments for Board members are proposed to be increased from three years to a maximum of four years to align with the municipal election cycle. Board of Directors meetings, except under certain prescribed circumstances, are proposed to be open to the public. If passed, the Province will now be able to prescribe CA Board composition and qualifications for members through regulation.
- 4.5 Public notice requirements are already in place for the dissolution of an existing CA. However, new notification requirements ensure that public notice be given 14 days prior to a meeting considering CA amalgamation. In addition, MNRF approval would now be required for CA amalgamations.
- 4.6 While the Region is generally supportive of increased oversight and accountability of CAs, it is recommended that MNRF's authority to conduct program and operational reviews be limited to those programs and services that the CA's are responsible for providing on behalf of the Province.

Clarity and Consistency in Programs and Services

- 4.7 With respect to programs and services, the Bill seeks to increase consistency by clarifying:
- The role of CAs;
 - Expectations for provincially mandated programs and services;
 - Expectations for municipally assigned programs and services; and
 - Expectations for watershed-specific programs and services.
- 4.8 Bill 139 outlines three types of programs and services that CAs are required, or may provide:
- Mandatory programs and services required by regulation (e.g. addressing development interference with wetlands and alterations to shorelines and watercourses through a permitting process);

- Municipal programs and services that an authority provides on behalf of municipalities, such as data collection and scientific expertise, or reviewing natural heritage evaluations and environmental assessments; and
- Other programs and services that it determines to further the goal of conservation, restoration, development and management of natural resources, such as habitat rehabilitation, management of conservation areas, data collection and mapping, and development of watershed plans.

4.9 The Province has indicated that if Bill 139 is passed, MNRF will propose regulations, in consultation with stakeholders, to outline the specific roles and responsibilities of CAs in delivering provincially mandated programs. These include:

- Managing water-related natural hazards;
- Reviewing planning documents;
- Supporting Ontario's proposed Wetland Conservation Strategy;
- Mitigating and adapting to climate change;
- Natural heritage identification;
- Land and cultural heritage conservation;
- Biodiversity conservation; and
- Watershed planning and management.

Many of these programs and services are beyond the programs and services currently provided by CAs and will have increased cost implications (refer to further comments under Modernize Funding Mechanisms).

4.10 Bill 139 gives CAs the opportunity to implement other programs and services that they determined are advisable to further their objectives. While consultation is required, approval from all funding partners for these "other programs and services" is not. It is recommended that any proposed programs over and above the core function and operation of CAs should require approval from all funding partners (i.e. municipalities), not just the Province.

4.11 If passed, Bill 139 would encourage CAs and municipalities to enter into memorandums of understanding to clarify the specific programs and services being provided by the CA on behalf of municipalities. This would provide clarity to not only the CAs and municipalities, but also those stakeholders who require the programs and services being provided by the CA on behalf of the municipality. The Region has had a Partnership Memorandum (PM) with the five CAs within our jurisdiction since 1996 to fulfill the Region's delegated provincial plan review function. The PM

defines the roles of both the CAs and the Region with respect to planning matters, which in turn, minimizes any duplication of roles during the planning process. An updated PM was endorsed by the CA Boards and Regional Council in the spring of 2011.

Increasing Clarity and Consistency in Regulatory Requirements

- 4.12 With respect to regulatory requirements, the Bill seeks to strengthen clarity and consistency by:
- Clarifying the scope of activities subject to CA approval;
 - Clarifying the scope of a CA's review;
 - Updating compliance and enforcement tools; and
 - Enabling the Province to regulate other activities within the CA's area of jurisdiction in the future.
- 4.13 New proposed provisions prohibit the straightening, changing and diversion of watercourses and development in and adjacent to watercourses (including valley lands), wetlands, shorelines, and other hazardous lands. Exceptions may be made for aggregate activities and other activities through regulations. Additionally, the proposed Bill gives CAs the power to issue permits, with or without conditions, allowing persons to engage in the prohibited activities, and also to cancel permits.
- 4.14 New regulation making powers are being proposed in the Act that could enable the identification of activities that have an impact on the conservation, restoration, development or management of natural resources and regulate, prohibit or require permits for those activities.
- 4.15 With respect to the enforcement of the Act, and offences under the Act, the proposed Bill will provide CAs with the power to appoint officers who may enter lands to ensure compliance with the Act, the regulations, and with permit conditions. Officers would also be given the power to issue stop orders, in certain circumstances (e.g. if they discover a watercourse has been diverted without a permit).
- 4.16 If approved, maximum fines under the Act will be increased from \$10,000 to \$50,000 in the case of an individual, and up to \$1,000,000 in the case of a corporation. Additional fines of up to \$10,000 per day for individuals, and \$200,000 per day for corporations, may be imposed for each day the offence continues after the conviction. The existing powers of the court are also proposed to be expanded when ordering persons convicted of an offence to repair or rehabilitate any damage

resulting from the commission of the offence. Current powers are limited to ordering removal of the development and rehabilitation of any impacted watercourse or wetland.

- 4.17 Conservation Ontario is a non-profit association that represents the network of 36 Conservation Authorities in Ontario. Bill 139 does not reference the role of Conservation Ontario. It is recommended that the Province address this, along with identifying a commitment to funding Conservation Ontario for provincial responsibilities.

Enhancing Collaboration and Engagement

- 4.18 In an effort to improve collaboration and engagement of all stakeholders interested or involved in CA programs and services, the Bill seeks to increase:

- Indigenous, public and stakeholder outreach and engagement;
- Indigenous community participation in CAs;
- Coordination between provincial ministries;
- Collaboration between CAs and the Province; and
- Collaboration and engagement on service delivery standards.

- 4.19 The majority of the actions in this area require program, policy, and procedural changes at the Province and will be subject to further consultation with stakeholders.

Modernize Funding Mechanisms

- 4.20 The following three actions are proposed to provide clarity and consistency in how various funding mechanisms are used to fund CA programs, services and operations:

- Updating how costs are apportioned among participating municipalities;
- Increasing clarity and consistency in the development and use of fees; and
- Exploring options for updating provincial funding levels.

- 4.21 If approved, Bill 139 would enable the Province to make regulations governing how capital and operating costs are apportioned by CAs to participating municipalities, as well as the process by which participating municipalities could appeal apportionment decisions. While the Province has indicated that they will consult with municipalities and CAs in the drafting of the regulations, neither Bill 139 nor the CA Act companion document provide any indication of what will be included in the

regulations. The Province has indicated that the existing rules regarding the apportionment of costs and appeal process will continue to apply until the new regulations are approved. As reflected in Regional staff's letter to the Province, it is important that any changes to the apportionment process be objective, consistent, and fair to all participating municipalities, that the process be aligned with the existing municipal business planning and budget process, and municipalities be consulted on any proposed regulations (see Attachment 2). The Region will continue to monitor the Province's work in this area and report back to Committee and Council.

- 4.22 Currently, CAs have the ability to collect fees in relation to permitting services, plan reviews, extension services (e.g. technical advice/implementation of erosion control, technical studies, etc.), education services, and any other authorized service under other legislation. Bill 139 proposes to increase the transparency of fees by requiring CAs to maintain a fee schedule, including a written fee policy that is available to the public, provide public notice for any proposed amendments to the fee schedule, and provide an appeal mechanism for the public to have their fee reconsidered. If passed, the Minister would have the authority to make regulations respecting the amount of fees that may be charged, including the manner in which CAs calculate the fees.
- 4.23 In the CA Act companion document, the Province acknowledges receiving consistent feedback from various stakeholders requesting increased provincial funding for CA operations, programs, and services. The document identifies the need for the Province to explore options for updating provincial funding levels including assessing the adequacy of funding currently provided to CAs for existing and new provincially mandated services, assessing the feasibility of reallocating existing provincial funding between various CAs, and identifying opportunities to access new funding envelopes.
- 4.24 Bill 139, while proposing that CAs deliver additional programs and services on behalf of the Province, does not specifically provide for increased dedicated, predictable, or sustainable funding for CAs to implement existing or expanding programs. Municipalities cannot be expected to continue to fund the expanding role of CAs, while already challenged with increased funding requirements for the core responsibilities of CAs. Provincial funding has decreased over the past decade, while infrastructure needs, as identified in asset management plans, have increased. As communicated in Regional staff's letter to the Province, it is imperative that the Province provide a provincial funding mechanism that provides predictable, sustainable funding for CAs to implement current and expanding

provincial policies and programs (see Attachment 2).

4.25 In addition, to improve the fiscal oversight of CAs, Regional staff included in the letter to the Province that a consistent provincial-wide financial reporting process be established, in consultation with CAs and municipalities, that would be utilized by all CAs to report on annual financial results, budgets and performance measures (see Attachment 2).

5. Conclusion and Next Steps

5.1 The Region has been engaged in provincially-led reviews associated with both the OMB reform and modernization of the *Conservation Authorities Act* since 2015. The *Building Better Communities and Conserving Watersheds Act, 2017* (Bill 139) introduces proposed amendments to the *Planning Act* and *Conservation Authorities Act* that highlight the completion of both multi-year reviews, and forms part of a comprehensive suite of proposed changes resulting from the review.

5.2 The Province has set commenting periods for Bill 139, as follows:

- Submissions on amendments to the *Planning Act* (EBR Posting #013-0590) accepted by August 14, 2017;
- Submissions on amendments to the *Conservation Authorities Act* (EBR Posting #013-0561) accepted by July 31, 2017; and
- Submissions on the “Conserving Our Future: A Modernized Conservation Authorities Act” document (EBR Posting #012-7583) accepted by July 31, 2017.

5.3 In general, Regional staff support Bill 139 as it relates to the proposed changes to the land use planning appeals system. In particular, Regional staff support amendments that procedurally improve the appeal process and emphasize the importance of local decision-making. However, there are several components that remain unclear at this time and will be the subject of future regulations and policies, including:

- How and when the OMB would transition to the proposed Tribunal procedures, and how this would impact existing appeals currently at the OMB;
- Whether provincial plans and policies contain enough specificity or detail (i.e. by way of policy or guidelines) to allow municipal councils to achieve and demonstrate conformity. Likewise, whether the Tribunal will be able to find guidance in the policy framework for the resolution of specific issues

- under appeal; and
- Further details on the implementation and adequate resourcing/funding for the proposed Local Planning Appeal Support Centre(s).

5.4 With respect to Bill 139 as it relates to the proposed amendments to the *Conservation Authorities Act*, Regional staff have requested to the Province that:

- Any proposed programs over and above the core function and operation of CAs should require approval from all funding partners (i.e. municipalities);
- The Province commit to predictable, sustainable funding for CAs to implement expanding provincial policies and programs; and
- The Province, in consultation with CAs and municipalities, establish a consistent province-wide financial reporting process to be utilized by all CAs to report on annual financial results, budgets, and performance measures.

5.5 Regional staff will continue to monitor and report back to Committee on the progress of implementation of these changes, and on any further legislative, regulatory, policy and program changes proposed to be made as a result of Bill 139.

5.6 This report was prepared in consultation with Corporate Services – Legal Services and staff of the Chief Administrative Officer’s office.

6. Attachments

Attachment #1: Regional staff comments on EBR Posting #013-0590 – Ontario Municipal Board Reform Initiative

Attachment #2: Regional staff comments on EBR Posting #013-0561 – Amendments to the Conservation Authorities Act and EBR Posting #012-7583 – Conservation Authorities Act Review Document, “Conserving Our Future: A Modernized Conservation Authorities Act”

Respectfully submitted,

Original signed by

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

Original signed by

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



July 26, 2017

Via mail and e-mail

Mr. Ken Petersen
Manager, Provincial Planning Policy Branch
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Brian Bridgeman, MCIP, RPP
Commissioner of Planning
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Dear Mr. Petersen:

Re: Environmental Bill of Rights Registry Number 013-0590
Bill 139 (Schedule 3) – Amendments to the *Planning Act* made
under the proposed *Building Better Communities and Conserving
Watersheds Act, 2017*

This letter provides Durham staff comments on EBR posting #013-0590 regarding Bill 139 (Schedule 3), amendments to the *Planning Act* made under the proposed *Building Better Communities and Conserving Watersheds Act, 2017*. Unfortunately, the timing of your consultation process did not provide an opportunity for us to obtain feedback from Regional Council. On July 28, 2017, I provided an Information Report to Regional Council, a copy of which is attached, but the earliest opportunity at which this report will be considered by Committee of the Whole is September 6th, and by Council on September 13th.

In December 2016, Regional Committee of the Whole Recommended to Council that Report #2016-COW-85 (refer to Attachment 2) be endorsed and submitted to the Ministry of Municipal Affairs as Durham Region's response to the review of the OMB (EBR posting #012-7196). In general, Regional staff is satisfied that the proposed changes to the land use planning appeals system under Bill 139 address many of the most salient comments and recommendations from the 2016 review.



If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2551.

In particular, Regional staff are supportive of the following proposed amendments:

- Introducing a new Tribunal that would function as a true appeals body by eliminating the former OMB model of “de novo” hearings from decisions of Council.
- Providing a clearer basis for appeals (i.e. conformity to provincial and municipal plans and policies).
- Granting the Tribunal the authority to conduct hearings that are alternatives to traditional adjudicative or adversarial procedures, as well as the ability to require case management conferences to narrow the issues and encourage case settlement.
- Sheltering a broad range of major municipal land use planning decisions from appeal, particularly where those decisions were approved by the Minister.

However, there are several components that remain unclear at this time, as they will be the subject of future regulations and policies. Therefore, Regional staff provide the following comments:

- In the case of an appeal where the Tribunal concludes the municipal decision did not conform, or was not consistent with provincial policies or municipal plans, Regional staff support the proposed requirement to send matters back to the municipality for a second decision. However, the 90-day timeframe may not be sufficient in the event that Council elects to make an amendment to the initial decision or feels that more public consultation is required. The 90-day timeframe should be extended to 180 days to allow for a sufficient review, consultation and amendment process.
- Given that conformity to provincial plans (and subsequent municipal plans) will now be the only test for success or failure of an appeal, greater specificity within the documents and detailed guidelines may be necessary to determine conformity. For example, new policies introduced for measuring and achieving density targets around Major Transit Station Areas lack detailed guidelines. In addition, it remains to be seen how climate change policies will be implemented by upper- and single-tier

municipalities, and how those policies may impact lower-tier municipalities and their requirement to conform to those policies. Without further details, by way of policy or guidelines, it may be a challenge for the Tribunal to find adequate guidance in the policy framework for the resolution of specific issues under appeal.

- Transition details from the current OMB model to the proposed Tribunal procedures have not been released at this time. How and when the OMB would transition to the proposed Tribunal, as well as how this would impact existing appeals currently at the OMB are critical questions. The Region is requesting to be included in provincial consultations on future transition regulations.
- Regional staff support the establishment of the Local Planning Appeal Support Centre for the purposes of providing guidance to citizens on the Tribunal appeal and hearing process. However, implementation details on how the Support Centre will function (e.g. timing, location, eligibility of support services, etc.) have not been provided. It is imperative that the Support Centre receive adequate resourcing and funding to provide the necessary support to parties to ensure meaningful participation in the appeal process. The Support Centre should be fully funded by the Province with no funding required by municipalities.

Should Durham Region Council have additional comments on Bill 139 after its meetings in September, our Regional Clerk will provide them to you.

Yours truly,

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

cc. R. Walton, Regional Clerk, Region of Durham

encl.



July 26, 2017

Via mail and e-mail

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

Dear Mr. MacDonald:

Re: Environmental Bill of Rights Registry Number 013-0561 –
Amendments to the *Conservation Authorities Act*, and
Environmental Bill of Rights Registry Number 012-7583 –
Conserving Our Future: A Modernized Conservation Authorities
Act Document

This letter provides Durham staff comments on EBR posting #013-0561 regarding Bill 139 (Schedule 4), amendments to the *Conservation Authorities Act*, and EBR posting #012-7583 regarding the companion document entitled “Conserving Our Future: A Modernized Conservation Authorities Act”. Unfortunately, the timing of your consultation process did not provide an opportunity for us to obtain feedback from Regional Council. On July 28, 2017, I provided an Information Report to Regional Council, a copy of which is attached, but the earliest opportunity at which this report will be considered by Committee of the Whole is September 6th, and by Council on September 13th.

The Region of Durham has provided comments for this review process on two previous occasions:

- In response to the Conservation Authorities Act Discussion Paper (October 2015); and
- In response to Conserving Our Future: Proposed Priorities for Renewal (September 2016).



If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2551.

With respect to Bill 139, the *Building Better Communities and Conserving Watersheds Act, 2017*, please accept the following Regional staff comments on the proposed legislation to modernize the *Conservation Authorities Act*:

- In addition to mandatory programs and services and those provided on behalf of participating municipalities, the proposed Act, gives conservation authorities the opportunity to implement other programs and services that they determine are advisable to further their objectives. While consultation is required, approval from all funding partners for these “other programs and services” is not. It is recommended that any proposed programs over and above the core function and operation of CAs should require approval from all funding partners (i.e. municipalities), not just the Province.
- It is appreciated that there is recognition in the *Conserving Our Future* document of the need to assess provincial funding levels. In this regard, it is important that the Province commit to predictable, sustainable funding for CAs to implement existing and expanding provincial policies and programs. Municipalities are already challenged with increased funding requirements for the core responsibilities of CAs and cannot be expected to continue to fund the expanding roles and responsibilities of CAs.
- Bill 139 proposes enabling the Province to make regulations governing how capital and operating costs are apportioned by CAs to participating municipalities. It is imperative that any changes to the apportionment process be objective, consistent, and fair to all participating municipalities and that the process be aligned with the existing municipal business planning and budget process. The Region is requesting the Province continue to consult with municipalities on any proposed regulations governing how capital and operating costs are apportioned by CAs.
- To improve fiscal oversight, it is recommended that the Province, in consultation with CAs and municipalities, establish a consistent province-wide financial reporting process to be utilized by all CAs to report on annual financial results, budgets, and performance measures.
- While the Region is generally supportive of increased oversight and accountability of CAs it is recommended that MNR's authority

to conduct program and operational reviews be limited to those programs and services that the CA's are responsible for providing on behalf of the Province.

- The Conserving Our Future document indicates that Bill 139 will enable the Ministry of Natural Resources and Forestry, in partnership with the Ministry of Environment and Climate Change, to create regulations for CAs' programs and services related to climate change mitigation and adaptation. It is recommended that municipalities be provided with the ability to determine which specific climate change measures will be funded for implementation at the watershed level by CAs, to prevent overlap in services with the municipality.
- In general, the role of Conservation Ontario is missing from the proposed Act and associated Conserving our Future document. It is recommended that the Province address this, along with identifying a commitment to funding Conservation Ontario for provincial responsibilities.

Should Durham Region Council have additional comments on Bill 139 after its meetings in September, our Regional Clerk will provide them to you.

Yours truly,

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

cc. R. J. Clapp, Commissioner of Finance, Region of Durham
R. Walton, Regional Clerk, Region of Durham

encl.



**Works
Department**

Interoffice Memorandum

TO: All Members of Regional Council

FROM: Susan Siopis, Commissioner of Works

COPY: Garry Cubitt, CAO
Brian Bridgeman, Commissioner of Planning
and Economic Development

DATE: July 28, 2017

RE: Open for Business: Brochure

The Works Department, in coordination with the Planning and Economic Development Department, is pleased to share with you a brochure that has been prepared, titled:

Open for Business: A Resource for Durham Region Businesses in a Construction Zone

This brochure will be a valuable resource for your business improvement area, board of trade, chamber of commerce and local businesses in Durham Region.

This information is also available on the Region's website.

Original signed by:

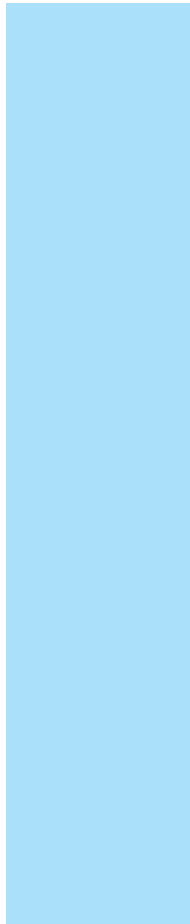
Susan Siopis

Attachment 1: Brochure – Open for Business



Open for Business:

A RESOURCE FOR DURHAM REGION BUSINESSES
IN A CONSTRUCTION ZONE





Open for business

A resource for Durham Region businesses in a construction zone

As Durham Region continues to grow and our infrastructure ages, roads, water and sewer systems must be replaced.

If you are receiving this brochure, infrastructure near your business has been identified for upcoming construction. The Region recognizes there may be potential impacts in the area, however the end result of construction projects is improved, reliable roads, water and sewer systems.

This brochure will provide an overview of what businesses can expect during construction, and offers some tips on how to minimize inconvenience on your business.



Types of construction work

Construction projects may involve a variety of infrastructure projects and roadwork. Durham Region is responsible for the installation and maintenance of underground water and sewer systems, as well as Regional roads.

To minimize inconvenience to residents and businesses, the Region often schedules water and sewer projects to coincide with roadwork. This means that construction may be required in order to work on underground pipes for water and sewer services, and may also include the re-paving or widening of a street.

To learn about the upcoming construction project near your business, visit durham.ca under *Public Works Projects*, and search the project location. Here, you will find information such as project details and contact information for the Project Supervisor.



**Visit
durham.ca to learn
more about upcoming
construction
projects.**



Notification

The Region will make every effort to let businesses know of upcoming roadwork as early as possible. Once construction schedules are finalized, Durham Region uses many communications channels to notify businesses and residents about the project. These channels may include:

- ◆ Construction newsletters that are hand-delivered to businesses and residents in the area.
- ◆ Project details posted on our website at durham.ca.
- ◆ Information sent to local media outlets (newspapers, radio, television and online) for broadcast.
- ◆ Advertisements placed in local newspapers.
- ◆ Details posted on the Region's Facebook and Twitter pages.
- ◆ Signage in the construction area to notify drivers of detours and construction activity, and to note that businesses remain open.

If transit needs to be re-routed, additional communications are posted in bus shelters and online.



What to expect during construction

During the course of construction work, a Project Supervisor from the Durham Region Works Department is assigned to the project. This individual is available to answer questions and help resolve any issues.

The Region will try to minimize disruptions. You should expect noise, vibrations and dust during the course of the work. Depending on the project, there may be water supply interruptions. You will be notified in advance of any water supply disruptions. When possible, any disruptions will be scheduled around business hours. Please speak with the Region's Project Supervisor if a water interruption will affect your business.

Throughout construction, Durham Region will keep residents and businesses informed about the project through ongoing communications such as newsletters, social media, website updates and signage. Our crews will work to complete the project as quickly, safely and efficiently as possible.



Let the Project Supervisor know, as early as possible, if you have concerns about water supply interruptions.





What you can do

As a business owner, there are many steps you can take to help reduce the impact of construction.

Stay informed and connected with Durham Region

- ◆ Attend public meetings during the planning/design phase of projects.
- ◆ Follow the Region of Durham on Facebook and Twitter—we'll be posting construction details you can share with your customers.
- ◆ Set up a line of communication with the Project Supervisor; ensure they are informed of any special requirements of your business (e.g. hours of operation; vehicle access for vendor deliveries; utility requirements; water supply requirements).

Utilize networks and business groups

- ◆ Get in touch with your local business improvement area (BIA), board of trade or chamber of commerce, who may be able to offer tips for working through construction.
- ◆ Consider reaching out to neighbouring businesses within the construction zone, to create a group business strategy. It may be easier to reach your clients by working together and pooling resources.



Communicate with your customers, staff and vendors

- ◆ Consider holding special events during construction to promote your business.
- ◆ Use posters, social media, flyers and your website to inform your customers of the best way to do business with you during construction.
- ◆ Ensure vendors and suppliers are informed of detours and try to schedule shipments at non-peak traffic hours, where possible.
- ◆ Ensure your employees are informed about the upcoming construction project; let them know they may need to use detours or park in alternate locations. Transit stops may also be affected.
- ◆ After construction is complete, reach out to your customers and vendors, invite them to visit and see the results.



Work with your local business improvement area, board of trade or chamber of commerce to find ways to promote your business!



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RegionofDurham

**If you require this information in an accessible format, please
contact 1-800-667-5671.**





Interoffice Memorandum

Date: July 28, 2017

To: Committee of the Whole

From: Dr. Robert Kyle

Subject: Expert Panel Report on Public Health

Health
Department

On July 20, 2017, the province released the attached report from the Minister's Expert Panel on Public Health, entitled [Public Health within an Integrated Health System](#). The Expert Panel on Public Health was established in January 2017 to provide advice on structural, organizational and governance changes for Ontario's public health sector within a transformed health system.

In summary, the Expert Panel recommends the establishment of 14 regional public health entities with boundaries to align with those of Local Health Integration Networks (LHINs). Changes are proposed to existing public health unit and LHIN boundaries. The proposed leadership structure of the 14 public health entities includes a CEO that reports directly to the Board of Health and a Regional Medical Officer of Health that reports directly to the Board of Health on matters of public health and safety. The proposed governance structure of all 14 Boards of Health is a free-standing autonomous board which includes municipal members, provincial appointees, citizen members and representatives from other sectors. Indigenous and francophone representation may be included based on population demographics.

Although the Panel was not asked to make specific recommendations about implementation, it identified elements that should be considered in developing an implementation plan.

The Ontario Ministry of Health and Long-Term Care is currently reviewing the recommendations provided by the panel and exploring options for further engagement.

Respectfully submitted,

Original signed by

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

Public Health within an Integrated Health System

Report of the Minister's Expert Panel on Public Health

June 9, 2017

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I. About the Expert Panel

In January 2017, the Minister of Health and Long-Term Care established an Expert Panel on Public Health to provide advice on structural, organizational and governance changes for Ontario's public health sector within a transformed health system.

Mandate

As part of their recommendation, the Expert Panel was asked to consider:

1. The optimal organizational structure for public health in Ontario to:
 - ensure accountability, transparency and quality of population and public health programs and services
 - improve capacity and equity in public health units across Ontario
 - support integration with the broader health system and the Local Health Integration Networks (LHINs) – the organizations responsible for planning health services
 - leverage public health's expertise and leadership in population health-based planning, decision-making and resource allocation, as well as in addressing health equity and the social determinants of health.
2. How best to govern and staff the optimal organizational structure.

Membership

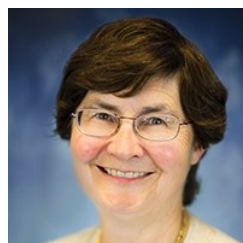
Members were chosen for their knowledge, expertise and perspectives and appointed by Order in Council. They were appointed as individuals and not as representatives of organizations or associations.



Dr. David Williams
Chief Medical Officer of
Health, Ontario



Susan Fitzpatrick
Chief Executive Officer,
Toronto Central Local
Health Integration
Network (LHIN)



Dr. Valerie Jaeger
Medical Officer of
Health, Niagara Region
Public Health



Dr. Laura Rosella
Canada Research Chair in
Population Health Analytics,
Assistant professor,
Dalla Lana School of Public
Health, UofT



Solomon Mamakwa
Health Advisor,
Nishnawbe Aski Nation



Dr. Nicola J. Mercer
Medical Officer of
Health and CEO,
Wellington-Dufferin-
Guelph Public Health



Gary McNamara
Mayor of the Town of
Tecumseh,
Chair of the Windsor
Essex Health Unit



Carol Timmings
Director, Child Health
and Development,
Chief Nursing Officer,
Toronto Public Health



Dr. Jeffrey Turnbull
Chief of Staff,
The Ottawa Hospital,
Chief - Clinical Quality,
HQO

Desired Outcome: A Strong Public Health Sector within an Integrated Health System

It is the view of the Expert Panel that Ontario will benefit most from a highly skilled public health sector embedded and highly visible in communities across the province. Public health will continue to nurture strong relationships with municipal governments and other local organizations to positively influence the social determinants of health; and create safe, supportive, healthy environments. Its work will be overseen by boards that reflect the perspectives and diversity of local communities and municipalities and share and promote a strong commitment to public health.

The public health workforce in all parts of the province will have access to specialized public health knowledge and resources. Public health practitioners will share a commitment to evidence-based practice and achieving population health outcomes.

The work of public health will be guided by provincial policy and legislation, and supported by province-wide efforts to collect and analyze data on health status. Public health will continue to champion health equity, identifying groups within the population whose health is at risk and developing targeted universal programs so that all Ontarians have equal opportunity for good health outcomes. Public health will also ensure that Indigenous communities have an active voice.

At the same time, the public health sector will have the capacity to work much more effectively with the rest of the health system. Its understanding of local health needs will help identify health system priorities and shape health policy and services. Stronger relationships with other parts of the health system will make it easier to integrate health protection and promotion into all health services. Working with other parts of the health system, public health will identify more effective ways to deliver population level interventions that will improve health and reduce health inequities.

Ontarians will recognize and value the work of public health and will access local public health programs and services within an integrated health system.

Goals of Patients First

- Effective integration of services and greater equity
- Timely access to, and better integration of, primary care
- More consistent and accessible home & community care
- Stronger links to population and public health
- Inclusion of Indigenous voices in health care planning

Principles Guiding the Panel's Work

To guide its work and deliberations, the Expert Panel developed the following principles:

- The strong independent public health voice and core public health functions will be preserved and leveraged to help reorient the health system.
- The local strengths of public health – including relationships with municipal and other community partners – will be maintained and enhanced to support integrated planning and service delivery.
- The federal government will continue to have responsibility for health services for Indigenous people in Ontario, including First Nations communities; however Ontario's public health sector also has a responsibility to protect and promote Indigenous health and to ensure Indigenous partners have an active voice.
- Being part of an integrated health system will create opportunities to enhance capacity and improve efficiency— some services may be delivered more effectively by or through other parts of the system.
- Form follows function: structural changes will be based on a clear understanding of the public health sector's role in an integrated health system.
- The organization and distribution of public health expertise, resources and services will reflect local needs and priorities.
- Boundary changes will be necessary to align public health with LHINs, and to support systems planning.

Process and Deliberations

To fulfill its mandate, the Expert Panel:

- reviewed background information, including past reports on Ontario's public health sector
- examined the functions of public health at the regional, local, and provincial levels
- reviewed the current organization of the health system
- discussed possible models and scenarios for reorganizing public health based on input received during consultation for Patients First, and various other submissions, letters, etc.
- looked at ways to align services and determine geographical boundaries
- reviewed the literature on various leadership roles and structures and models for governance
- discussed the potential implications for legislation, including the *Health Protection and Promotion Act* and the *Local Health System Integration Act*, and others.

II. The Opportunity

Public Health as Part of an Integrated Health System

As part of Patients First, all health programs and services – hospitals, home and community care, primary care and public health – are strengthening connections and working together to enhance Ontarians’ health and well-being at all ages and stages of life.

Historically, public health and health care have operated as distinct systems. Public health largely focuses on the health of populations and providing upstream community-wide interventions, while health care services are designed to diagnose, treat, and improve individual health outcomes. A key goal of Patients First is to strengthen linkages and partnerships between the health care system and public health.

Close collaboration and formalized relationships between public health and LHINs will mean that:

- A population health approach will be integrated into local planning and service delivery across the continuum of health care
- health services will address and be responsive to population health needs and will seek to promote health and achieve health equity
- health promotion, health protection and health care will be more connected
- public health services and other health services will be better integrated

Preparing Public Health for its role in an Integrated Health System

To maximize its impact in the transformed system, public health must change and the health system must adapt to allow and support true integration.

Over the past year, three public health transformation initiatives have been focused on addressing key questions that will help public health be an effective partner in an integrated health system:

1. **What is the work of public health?**
The **modernization of the Ontario public health standards** will provide a renewed framework for public health programs, services, and accountability in the 21st century.
2. **What is the role of public health in integrated planning?**
The **public health work stream** is a collaboration between public health and LHINs working to provide guidance on formal engagement parameters for LHINs and public health across the province.
3. **How should public health be organized across the province to function effectively within an integrated system?**
The **Expert Panel on Public Health** was asked to provide advice on what the structure and governance of public health should be to enhance its capacity to fulfill its health promotion and protection role and work effectively with partners within a transformed health system.

The Impact of Public Health within an Integrated System

What impact will the strengthened relationship between public health and LHINs have on all health system partners and on Ontarians?

Strong relationships outside the health system to protect and promote health.

Public health works with municipal governments, community organizations, schools, and local services outside the health system – to influence the social, environmental and structural factors that can lead to poor health. Public health can broker relationships between health care, social services, municipal governments, and other sectors to create healthier communities.

More focus on the social determinants of health and greater health equity.

Some Ontarians are at greater risk of poor health because of social determinants such as poverty, precarious housing, poor working conditions, and a lack of social support networks. Public health can embed a population health approach into health service planning and delivery to close these health gaps and enhance health equity.

More comprehensive targeted health interventions.

Although chronic diseases are among the most common and costly health problems facing Ontarians, they are also among the most preventable. Interventions targeting chronic disease risk factors can be successful in mitigating and preventing the burden of chronic diseases. Public health can identify high risk communities and offer targeted interventions that can prevent or delay the onset of these diseases and their complications.

Better care pathways and health outcomes.

A person's ability to follow a care pathway after surgery or treatment is affected by factors outside the health system. For example, if an individual is discharged from the hospital and returns to precarious housing and food security challenges, their recovery will be negatively impacted and they may have a higher likelihood of being re-admitted to the hospital than someone who has stable housing and access to healthy food. Public health can help the health system develop care pathways that take into account the social factors that affect health outcomes.

Greater recognition of the value of public health.

With public health as part of an integrated health system, Ontarians will better understand the importance of investing in health protection and promotion across the life course. They will see how public health benefits themselves, their families and their communities and, at the same time, helps contain health care costs and make the universal health care system more sustainable.

Improving access to care is one priority for the integrated system, but the vision of Patients First is much broader. It is also about promoting health, reducing health disparities and helping all Ontarians lead long healthy lives.

III. A Strong Public Health Sector in an Integrated System

The impetus for the Expert Panel’s work is the government’s Patients First Strategy. The key question for the Expert Panel was how to best organize public health to function effectively within an integrated system. However, the Expert Panel also viewed their task as an opportunity to strengthen the public health sector and support more efficient and effective operations.

Members worked to identify an optimal structure and governance model for public health in Ontario for the 21st century and beyond. In developing recommendations, the Expert Panel did not attempt to “retrofit” the current system.

1. The Optimal Organizational Structure for Public Health

Background

Ontario currently has 36 public health units. They range in size from 630 to 266,291 square kilometres. The smallest serves only 34,246 people dispersed over a geographic area as large as France, while the largest serves 2,771,770 people concentrated within 630 square kilometres. (See Appendix A: map showing current health unit areas and LHIN boundaries)

Public health units are responsible for delivering programs and services in accordance with standards established by the Ministry of Health and Long-Term Care. Public health units are responsible for identifying local health priorities and population needs and addressing those that fall within their mandate. Much of the work in public health is done in close collaboration with municipal partners. There is a cost-sharing relationship between the Ministry of Health and Long-Term Care and municipalities for delivery of public health programs and services.

Key strengths of the public health sector include its focus on health protection, health promotion, and health equity, its local presence, relationship with municipalities, its highly trained workforce, its collaborative relationships outside the health care system, and its in-depth understanding of and capacity to assess population-level health.

Challenges of the current structure – particularly felt in smaller health units – include a lack of critical mass and surge capacity and challenges recruiting and retaining key skilled public health personnel, which make it difficult to deliver equitable services across Ontario. A lack of mechanisms to coordinate across health units and lack of alignment with LHINs also make it challenging to collaborate, share resources and maximize effectiveness both within the public health sector and within the broader health system.

Criteria

The Expert Panel's goal was to recommend an organizational structure for public health that would:

- Maintain a strong independent public health sector within an integrated health system
- Relate effectively with the LHINs to influence health system planning
- Enhance public health's strong local presence and effective relationships with municipalities
- Ensure Ontarians continue to have access to public health programs and services in their communities
- Create public health organizations large enough to achieve critical mass and retain public health personnel and resources to efficiently operate services in all parts of the province
- Allow for clear definition of public health functions and roles at the provincial, regional and local levels, in order to make more effective use of public health expertise and resources
- Enhance public health practice and ensure more consistent implementation of the public health standards across the province
- Foster collaboration/coordination within the public health sector and with the rest of the health system.

Members of the Expert Panel agreed with findings and observations of a series of reviews over the past 20 years, which all determined that Ontario's public health sector would be stronger if:

- * there were fewer health units with greater capacity
- * there was a consistent governance model
- * the sector was better connected to other parts of the health system.

Responsibilities and Functions

To ensure strong local programs and services, every effort should be made to locate the right mix of management and program staff in local communities. Depending on the size of the communities/populations they serve, local service delivery sites may have public health physicians, directors, managers/program leads, front-line staff and staff responsible for using local population health data to develop local initiatives that are reflective of community needs.

The optimal locations for regional and local public health activities should be determined within the region and based on the distribution of the population and geography. The regional public health entity could potentially look for opportunities to co-locate public health services with other health and/or municipal services, thereby increasing the potential for service integration.

Table 1 on pages 12 –15 outlines public health responsibilities and functions at provincial, regional and local levels.

Figure 1: Organizations Described at Each Level

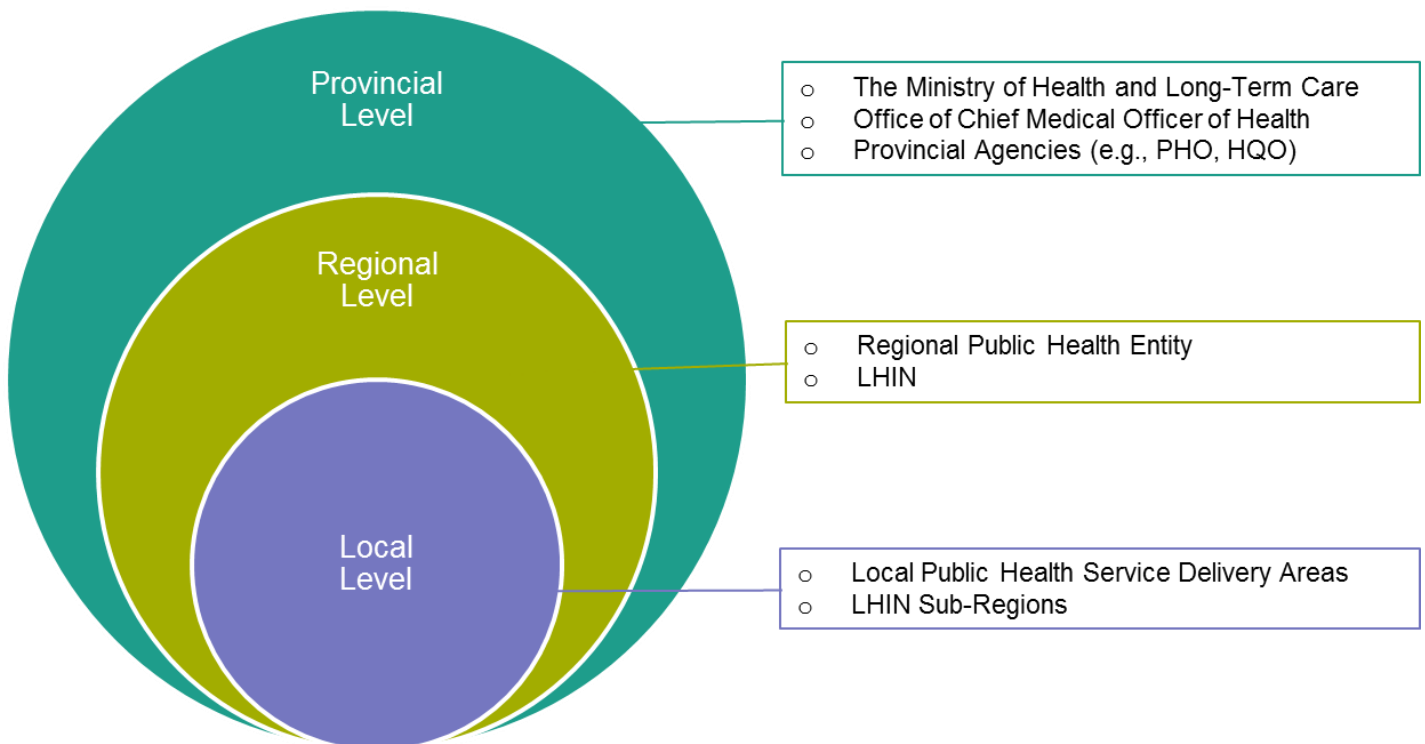


Table 1: Public Health Responsibilities and Functions

Category	Function	Regional	Local	Provincial	LHIN
Corporate Services	Funding and Accountability	<ul style="list-style-type: none"> • Accountability agreements with province • Performance management approach • Accountability for local public health entities 	<ul style="list-style-type: none"> • Continuous quality improvement • Performance management initiatives 	<ul style="list-style-type: none"> • Transfer payments • Overall provincial accountability with 14 regions 	
	Human Resource Management	<ul style="list-style-type: none"> • Workforce strategy • Human resource policies and procedures 	<ul style="list-style-type: none"> • Local oversight • Staff development 	<ul style="list-style-type: none"> • 100% funded positions (e.g., social determinants of health nurses) • Medical Officer of Health/ Associate compensation 	
	Administrative	<ul style="list-style-type: none"> • Risk management • Procurement • Service level agreements • Facilities planning and administration 	<ul style="list-style-type: none"> • Local facilities management and input 		
	Communications	<ul style="list-style-type: none"> • Strategic communication planning • Guidelines for use of relationships with media channels • Guidelines for public reporting 	<ul style="list-style-type: none"> • Local issues management and correspondence with the media • Strategies for educating community partners and the public 		
	Information technology	<ul style="list-style-type: none"> • Corporate IT 			

Table 1: Public Health Responsibilities and Functions (continued)

Category	Function	Regional	Local	Provincial	LHIN
Performance, Quality, and Analytics	Surveillance and Monitoring	<ul style="list-style-type: none"> Collect and consolidate pertinent health-related data Detect and notify of health events Appropriate reporting of data to province, local offices, LHINs, etc. 	<ul style="list-style-type: none"> Apply surveillance data to guide public health policy and strategies Document impact of an intervention or progress towards specified public health targets/goals Investigation and confirmation of cases or outbreaks Coordination and sharing of information with LHIN sub-regions 	<ul style="list-style-type: none"> Ongoing, systematic collection, analysis and interpretation of health-related data 	<ul style="list-style-type: none"> Receive surveillance information and assist with dissemination
	Information Management	<ul style="list-style-type: none"> Responsible for common regional systems Decision making Data governance 	<ul style="list-style-type: none"> Systems designed to address local needs 	<ul style="list-style-type: none"> Centralized data systems Data governance 	<ul style="list-style-type: none"> Potential integrated databases
	Performance and Evaluation	<ul style="list-style-type: none"> Regional metrics and dashboards Data repository Inform /contribute to LHIN planning 	<ul style="list-style-type: none"> Local data collection and insights Application of data in local planning and delivery Program accountability Quality of practice 	<ul style="list-style-type: none"> Provincial dashboards Provincial level data Coordination of data sharing with other jurisdictions and First Nations 	<ul style="list-style-type: none"> Coordination/ bridging work with public / population health data
	Research	<ul style="list-style-type: none"> Set research priorities Lead and/or participate in regional research projects Review and incorporate research and evaluation findings into planning 	<ul style="list-style-type: none"> Conduct research projects Help inform research priorities Partner with other organizations undertaking research Stay up to date on latest studies Ongoing program review and evaluation 	<ul style="list-style-type: none"> Set research priorities Research grants 	<ul style="list-style-type: none"> Interpretation of population health research to inform planning

Table 1: Public Health Responsibilities and Functions (continued)

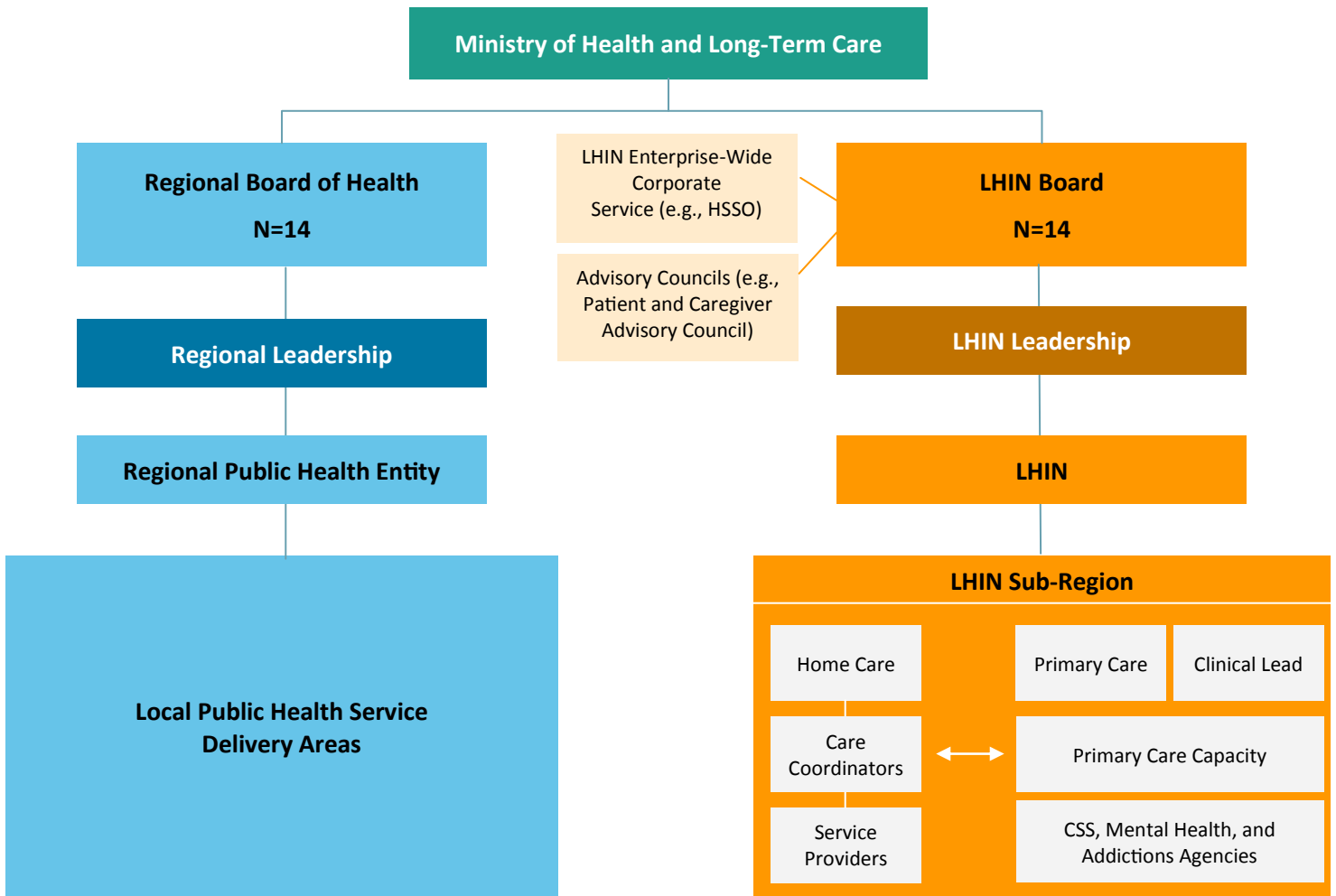
Category	Function	Regional	Local	Provincial	LHIN
Public Health Practice (Programs and Services)	Planning	<ul style="list-style-type: none"> Annual service plan Strategic plan Health equity lens Corporate planning Resource allocation planning 	<ul style="list-style-type: none"> Operational plans Implementation plans Provide context, data, and costing inputs Local perspective and considerations (including First Nations) 	<ul style="list-style-type: none"> Review and approve annual service plan Mandate letters Program and policy planning 	<ul style="list-style-type: none"> Regional input and alignment with other health services Service planning
	Delivery	<ul style="list-style-type: none"> Management of after-hours on-call system 	<ul style="list-style-type: none"> Implementation Ongoing program and service delivery Coordination of after-hours on-call system 	<ul style="list-style-type: none"> Provincial program implementation and oversight 	<ul style="list-style-type: none"> Coordinated delivery / optimization of services
	Coordination	<ul style="list-style-type: none"> Work with leadership at all levels of government, throughout the public health organization, the 13 other regional MOHs, the LHIN, and across sectors Functional integration and consistency with LHIN business plan 	<ul style="list-style-type: none"> Work with local leadership to execute public health services and delivery Participation on local committees and in community meetings 	<ul style="list-style-type: none"> Chair provincial public health table with MOHs Provide guidance and leadership on public health topics and issues 	<ul style="list-style-type: none"> Functional integration and consistency with public health business plan

Table 1: Public Health Responsibilities and Functions (continued)

Category	Function	Regional	Local	Provincial	LHIN
Strategic Engagement	Health System	<ul style="list-style-type: none"> LHIN (cross-linkages) Health regulatory colleges 	<ul style="list-style-type: none"> LHIN sub-regions (when applicable) Primary care Hospitals 	<ul style="list-style-type: none"> Public health accountability and reporting to province Receive information/direction/mandates from province (when applicable) 	<ul style="list-style-type: none"> Information sharing Inform planning at a LHIN and LHIN sub-region level Consultation through LHIN committees (when applicable) Routine collaboration between public health and LHIN leadership (at both regional and local/LHIN sub-region levels) Other health service providers e.g., hospitals, Community Health Centres and Family Health Teams
	Public Health System	<ul style="list-style-type: none"> Chief Medical Officer of Health Other MOHs and CNOs Academic / research institutions Public Health Ontario Associations 	<ul style="list-style-type: none"> Regional public health Other public health units Academic / research institutions 	<ul style="list-style-type: none"> Regional MOHs (e.g., standing meetings) 	<ul style="list-style-type: none"> MOHs
	Governments	<ul style="list-style-type: none"> Province 	<ul style="list-style-type: none"> Municipality 	<ul style="list-style-type: none"> Federal government First Nations Agencies 	<ul style="list-style-type: none"> Province
	Cross-Sector	<ul style="list-style-type: none"> Leadership from all social determinants of health disciplines (e.g., environment, transportation, housing, children and youth services) 	<ul style="list-style-type: none"> Local community and social services Education, transportation, housing, settlement, etc. 	<ul style="list-style-type: none"> Health in all policies approach 	<ul style="list-style-type: none"> Social services Community and home care Family services Community and recreation services

Figure 2: Proposed End State — Public Health within an Integrated Health System

The Expert Panel recommends that Ontario establish 14 regional public health entities .



The proposed structure of 14 regional public health entities will allow public health to:



The Expert Panel believes that having fewer regional public health entities will result in more frequent and effective interactions among regional medical officers of health and between regional medical officers of health and the province. At the same time, maintaining local public health delivery areas will ensure a strong local presence and effective relationships with municipalities.

For the proposed structure to succeed, it will be essential to establish strong working relationships, develop effective communication mechanisms and undertake shared projects and activities:

- within each regional public health entity
- between the regional public health entity and the municipalities in the region
- between the regional public health entity and the LHIN
- among the regional public health entities
- with the province.

2. Optimal Geographic Boundaries

Background

Ontario's existing 36 public health units are organized based mainly on municipal boundaries. The current configuration of health unit areas make it difficult to operate as a unified system with LHINs and other health system partners following LHIN boundaries.

The current organization of public health units has a negative impact on the capacity of smaller health units. Boundary changes are necessary to enhance public health capacity and effectiveness, and to help public health be more integrated with the rest of the health system. At the same time, it is important to maintain the strengths associated with public health's close relationship with municipalities.

Criteria

To determine the number of regional public health entities and their recommended geographic boundaries, the Expert Panel used the following criteria:

- create regional public health entities that would serve a large enough population to achieve critical mass to be able to operate efficiently and effectively and attract skilled staff
- support effective linkages with LHINs by aligning with LHIN boundaries
- respect municipal boundaries and relationships as much as possible
- whenever feasible, move existing health units in their entirety into the same regional health entity catchment area
- when it is not feasible to move entire existing health units together, divide health units based on municipal boundaries

Proposed Geographic Boundaries

The Expert Panel recommends that Ontario establish catchment areas for the 14 regional public health entities that are consistent with LHIN boundaries and respect existing municipal boundaries.

Figure 3: Proposed Boundaries Mapped Against Current Public Health Unit Boundaries

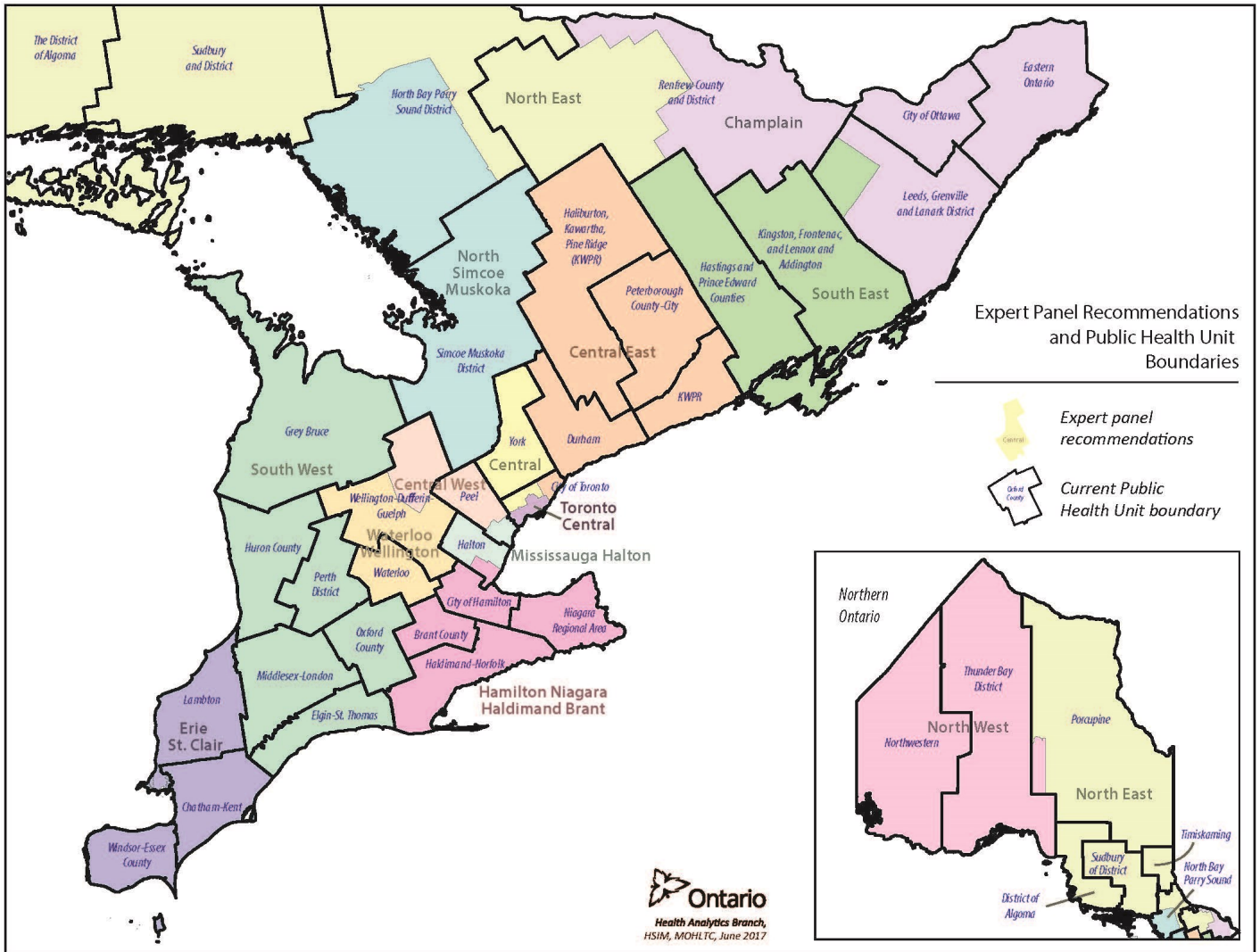
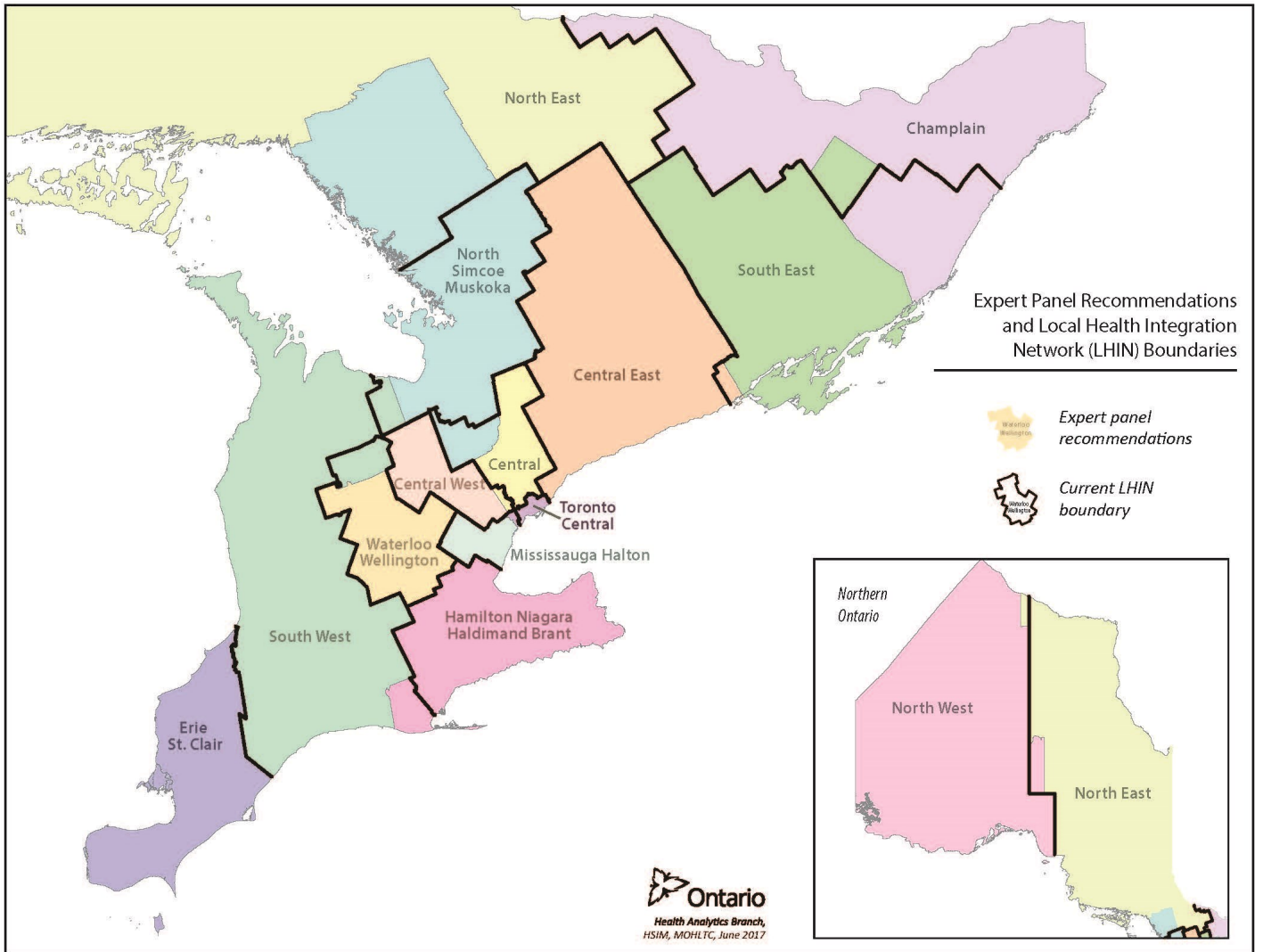


Figure 4: Proposed Boundaries Mapped Against Current LHIN Boundaries



With the recommended boundaries, the populations served by the regional public health agencies would range from about 0.25 million to 1.8 million.

3. Optimal Leadership Structure

Background

The proposed regional public health entities will be complex multi-million dollar organizations with staff spread across multiple local sites. The leadership structure and the quality and competence of public health leaders will be critical to the success of the proposed organizational structure.

Public health units of the future will require leaders with broad-based skills that encompass strong demonstrated organizational and business management, relationship management, strategic planning and performance management skills as well as extensive public health experience.

The literature indicates that, for large health organizations, a single leader as opposed to a joint leadership model is more effective – when the leader has the right mix of experience and competencies. It also indicates that it is essential for that single leader to have both content expertise – in this case, public health knowledge – and management expertise.

Criteria

The Expert Panel's goal was to propose a leadership structure that would:

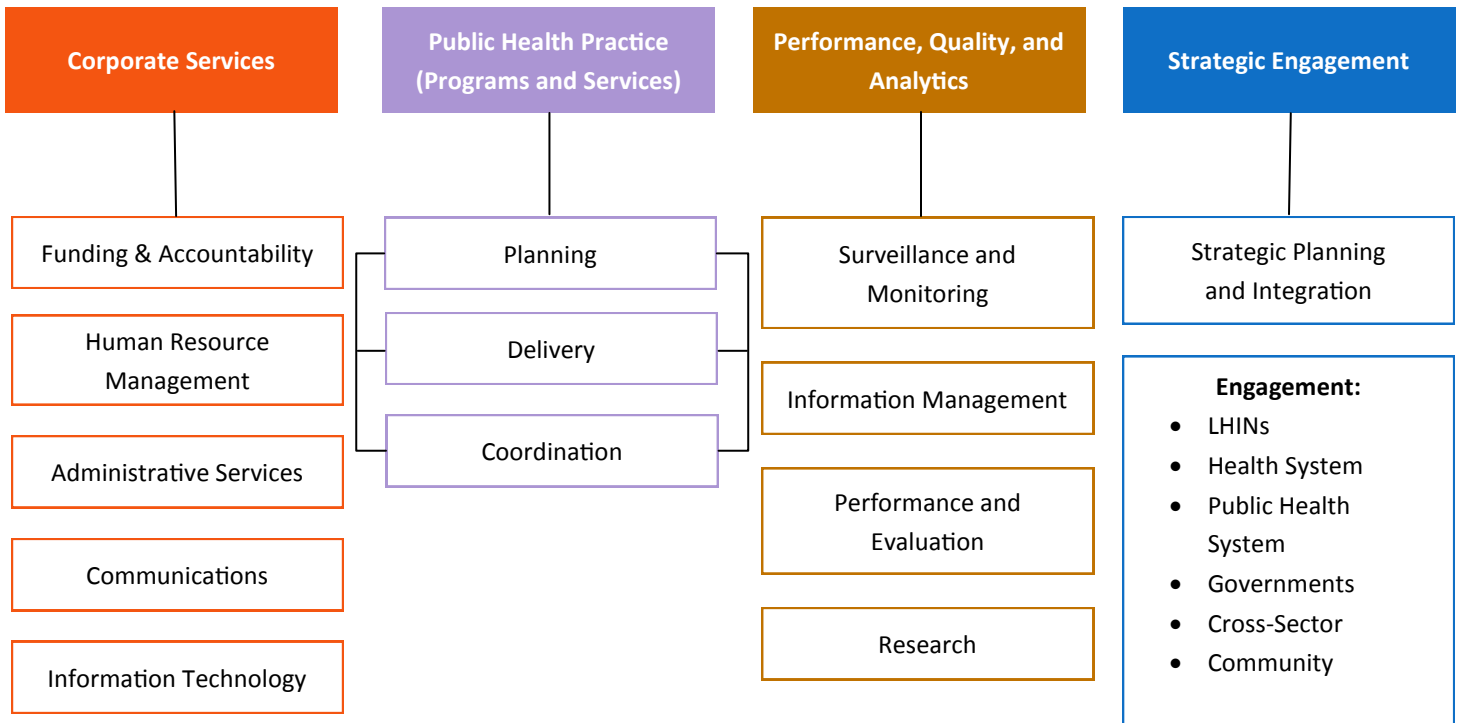
- Reflect best practices in the leadership of health organizations
- Reinforce and capitalize on strong public health/clinical skills
- Be able to support geographically distributed programs and staff
- Maintain strong expertise and skills at both the regional and local levels
- Capture all the roles and functions of current leaders
- Operate efficiently and effectively

Proposed Leadership Structure

Figure 5: Proposed Leadership Considerations

Regional Public Health Entity		Local Public Health Service Delivery Areas	
CEO	<ul style="list-style-type: none"> • Direct report to the Board of Health 	Local Medical Officer of Health	<ul style="list-style-type: none"> • Local public health physician • Report to regional Medical Officer of Health • Number—variable, e.g., based on population and geography
Regional Medical Officer of Health	<ul style="list-style-type: none"> • Public health physician • Ability to report directly to the Board of Health on matters of public health and safety 	Local Public Health Program and Service Management	<ul style="list-style-type: none"> • E.g., nursing leadership, public health inspection management, etc. • Program managers • Multi-disciplinary teams
Senior Public Health Leadership	<ul style="list-style-type: none"> • E.g., nursing (Chief Nursing Officer), associate medical officers of health, other content-specific leaders, corporate management (e.g., Chief Administrative Officer, Chief Operating Officer, Chief Information Officer, etc.) 		

Regional Public Health Entity—Functional Departments



4. An Optimal Approach to Governance

Background

All public health units are governed by a board of health. While the *Health Protection and Promotion Act (HPPA)* requires that all health units be governed by a board of health, the legislation does not set out a specific model of governance. Currently, public health governance models vary considerably across the province (i.e., some are autonomous boards, others are part of the structure of the municipal or regional government). While variation is not necessarily a problem in and of itself, it can result in inequities.

A number of reviews and reports have highlighted challenges with current public health governance, including the wide variety of governance models, gaps in skills on some boards and challenges with both provincial and municipal appointments to the boards. Over time, this may affect public health's ability to work effectively with the LHIN boards, which have a consistent governance model.

Although the HPPA sets out a process for appointing members of the boards of health that reflect both the municipal and provincial responsibility for public health (i.e., some members are appointed by the municipalities and some by the Ministry of Health and Long-Term Care through orders in council), there are no specific requirements related to the skills or experience that board members should have. As a result, there are significant skill gaps on some boards of health.

In terms of appointing board members, boards of health experience high vacancy rates among provincial appointees. Vacant seats can make it difficult for boards to optimally function. Furthermore, there can be gaps in appointment of elected municipal officials as a result of elections.

Criteria

The Expert Panel's goal was to recommend a public health governance structure that would:

- Ensure greater consistency in governance of public health
- Maintain public health autonomy and independence
- Maintain a strong municipal voice and representation
- Relate effectively to LHIN boards
- Reflect best practices in governance
- Address issues related to board vacancies
- Reinforce the roles and responsibilities of board members
- Ensure accountability and effective oversight

Proposed Governance Model

The Expert Panel recommends that Ontario establish a consistent governance structure for regional boards of health in Ontario with the following features:

	Board of Health Governance Characteristics
Governance	Free-standing autonomous board
	Consideration for appropriate secretariat support for board operations
Appointees	Municipal members (formula for representation to be defined in Regulations – e.g., by population, by upper tier etc.)
	Provincial appointees (including OIC appointments for specific position(s) such as board chair, vice chair, finance – to be nominated by the board)
	Citizen members (municipal appointees)
	Other representatives (e.g., education, LHIN, social sector, etc.)
Size	Varied: 12-15 members
Indigenous Representation	Meaningful opportunity for representation to ensure Indigenous partners have an active voice (based on population demographics)
Francophone Representation	Representation for the Francophone community (based on population demographics)
Diversity and Inclusion	Boards should reflect the communities which they serve, including but not limited to inclusion of: <ul style="list-style-type: none"> • Gender and sexual orientation • Visible minorities • Lived experience • Diverse ages
Qualifications	Skills-based
	Experience
Appointment Process	Flexibility for combination of provincial and local appointments (for non-specific positions) to address varying capacity across province
Board Compensation	Apply consistent approach for board member compensation
	Consideration of equitable compensation across public boards (e.g., public health, LHINs, agencies, etc.)
Committees	Establishment of standing committees (e.g., good governance and nomination committees, finance and audit, HR, etc.) to be defined in Regulations
	Committees are responsive to community needs
Succession Planning and Implementation	Staggered transition/appointments for new board structures
	Tenure
	Targeted recruitment

Considerations for Proposed Regional Board of Health

The regional board of health should be small enough to be efficient but large enough to support strong standing committees (i.e., governance, finance/audit, quality). The literature shows that doing certain work in standing committees is more functional and effective than doing it as an entire board.

The goal is to attract highly skilled and competent individuals who will speak for the interests of public health to serve on the board. It is critical that:

- the board have the right mix of skills, competencies, and diverse perspectives
- all board members understand and accept their role
- the boards have a process to manage attendance and to remove people from the board who are not fulfilling their responsibilities.

Furthermore, when recruiting members to the regional board of health, the governance committee should look specifically for people who want to work on a team and share a commitment to improving the health of the population.

Because of past challenges with timing Order in Council (OIC) appointments, the Expert Panel recommends a smaller number of provincial appointees; however, to ensure accountability to the provincial government, those seats should be key positions (e.g., chair, vice-chair, chair of the finance/audit committee). The governance committee should recommend the candidates for OIC appointments, and those candidates should be able to include elected municipal officials.

To address continuity of service challenges with municipal officials, the Expert Panel recommends that when an elected official appointed to the board of health is not re-elected, he or she continue to serve on the board of health until the municipality makes a new appointment. Municipalities should also be encouraged to appoint a mix of elected officials and members of the community to ensure diversity and continuity, and to reduce the challenges elected officials may experience balancing their municipal responsibilities with their responsibilities for public health.

IV. Implementation Considerations

The Expert Panel recognizes that if implemented, the recommendations will mean large organizational change for the sector. The Expert Panel was not asked to make specific recommendations about implementation, however, they have identified elements that should be considered in developing an implementation plan.

Legislation

The proposed health unit boundary changes and implementation of regional public health entities will have implications for public health and other related legislation. A detailed analysis will be required to determine how much of the proposed structure and governance model will require legislative amendments.

Funding

While public health funding was not within the scope of the Expert Panel’s mandate, they have flagged that the current public health funding model may be a barrier to implementing the proposed structure.

Under the HPPA, municipalities have legislated authority for public health and provincial funding for public health is discretionary. Public health units receive an annual grant from the Ministry of Health and Long-Term Care— and the amount the province contributes has varied over the years.

The Ministry of Health and Long-Term Care provides funding for:



- up to 75% of ministry approved allocations



- 100% of certain programs, such as Healthy Smiles Ontario, the Infectious Disease Control Initiative, nursing initiatives and the Smoke-Free Ontario Strategy



- 100% of services in unorganized territories (i.e., areas without municipal organizations)

Municipalities provide funding for:



- at least 25% of ministry approved allocations (many provide more)



- other public health programs and services— beyond those provincially mandated

The ministry’s contribution recognizes the challenges many municipalities – particularly smaller ones – face in funding public health services.

The proposed shift from local health units, whose costs are shared by local municipalities, to a regional public health entity will likely raise questions about the funding obligations of each municipality in the region.

As part of implementation planning, the ministry will need to re-visit funding constructs in order to implement the recommendations.

Transition Planning/Change Management

The proposed structure will have a significant impact on the 36 existing health units and boards of health. Although the transition may be more straightforward for the public health units that move in their entirety into a regional health entity than for those divided across two or more regional agencies, all will require assistance with change management. Given the complex nature of municipal government (i.e., upper tier, lower tier, independent), it may be helpful to engage consultants with a strong track record in change management to help with transition planning.

The transition from the current 36 local boards of health to a smaller number of regional boards of health will have particular implications for municipalities and municipal members. It is important that the new board structure recognize and protect municipal interests, while recognizing the potential for competition for municipal seats.

To ensure greater consistency across the province, it may be helpful to work with the Association of Ontario Municipalities to develop the criteria for municipal representation on the new regional boards.

Effective Linkages with LHINs and the Health System

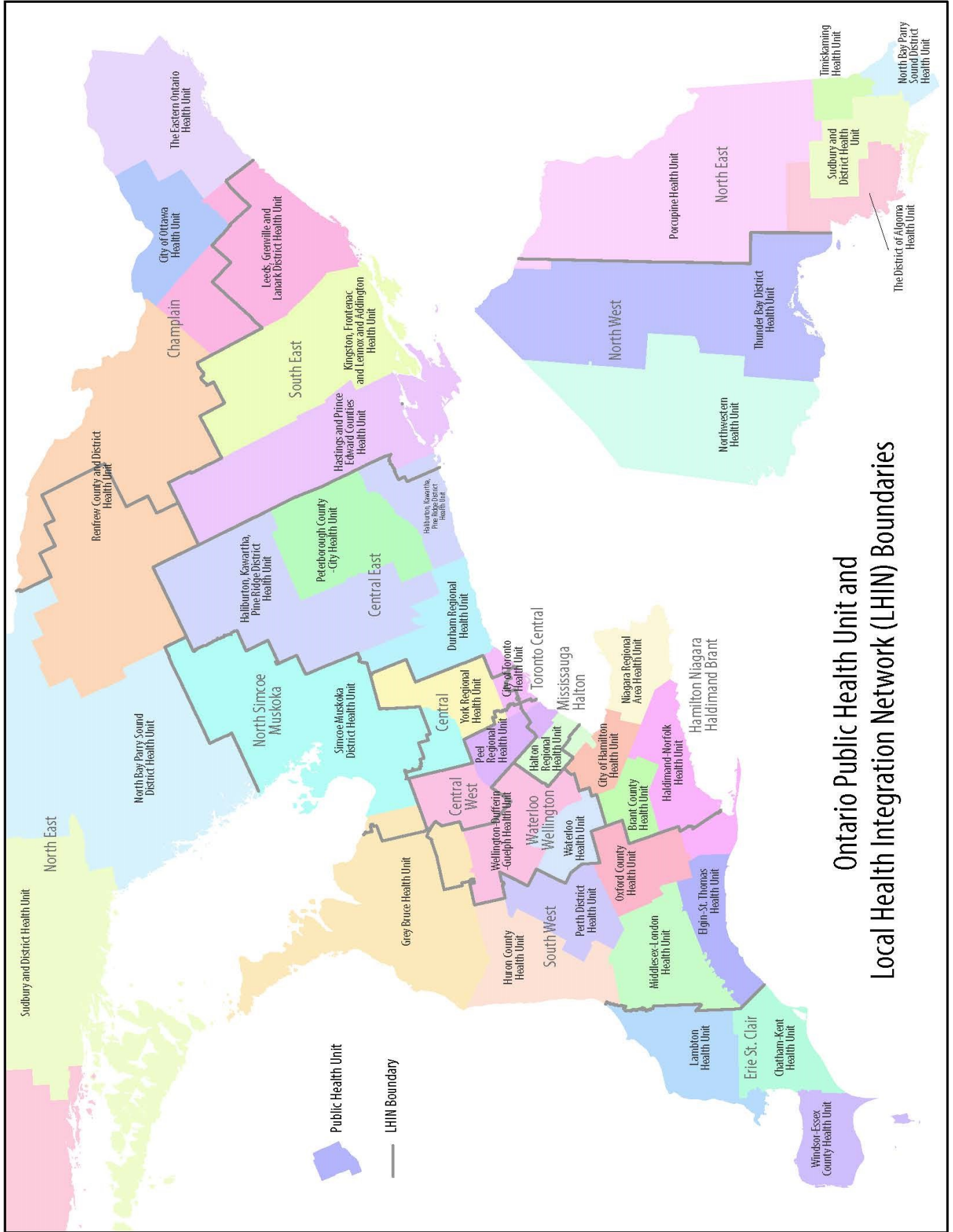
During its deliberations, the Expert Panel identified a number of strategies that, in its view, could enhance linkages with LHINs, such as:

- potential cross appointments (or ex-officio) to the regional Board of Health and the LHIN board
- regular meetings between the Regional Board of Health chair and the LHIN board chair
- regular meetings between public health and LHIN leadership as well as shared projects and activities.

Structured relationships will also be necessary with all health system partners including primary care, hospitals, and home and community care to develop stronger linkages between disease prevention, health promotion and care, maximize system efficiencies and support a fully integrated health system.

Appendix

Appendix A: Current LHIN and PHU Boundaries



Ontario Public Health Unit and Local Health Integration Network (LHIN) Boundaries

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Clarington is creating a Comprehensive Waterfront Emergency Plan: have your say by joining our workshop

As directed by Council the Municipality of Clarington is creating a Comprehensive Waterfront Emergency Plan to deal with all aspects of a flood-related emergency.

As part of the process the Municipality of Clarington is reviewing its Emergency Plan to see if changes are required to how the Municipality and the community should respond to flood events.

Come to a workshop and have your say!

Please join us at one of two workshops:

When: **August 1, 2017**

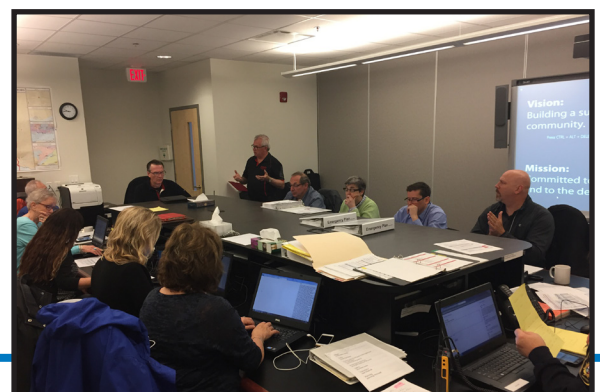
Time: **4 until 6 p.m. or 7 until 9 p.m.**

Location: **Garnet B. Rickard Recreation Complex,
2440 Highway 2, Bowmanville ON**

These workshops are an opportunity for you as a member of the community to discuss your ideas and answer these key questions regarding flood emergency response.

- What experience can you share from recent flooding events that could help inform the development of a Comprehensive Waterfront Emergency Plan?
- What are your thoughts on the roles and responsibilities of property owners during future flooding events?
- What improvements can the Municipality of Clarington make to coordinate the response during a flood?
- What improvements can the Municipality of Clarington make to communicate with the community about flooding?

The workshops will begin with a brief presentation to discuss the scope of the project. After the presentation attendees will be divided into smaller working groups and asked to discuss and provide input on the questions above. The sole focus of these workshops is the development of a waterfront emergency plan.



Questions or Comments

Please contact Suzanne Charbonneau (Project Manager) at scharbonneau@dillon.ca or by phone at 905-901-2912 ext. 3404 if you have any questions or you wish to send written comments to the above questions.

Freedom of Information and Protection of Privacy Act

The personal information you submit will become part of the public record and may be released to the public. Questions about the information we collect can be directed to the Municipal Clerk's Department at 905-623-3379, ext. 2102.

Accessibility

If you have accessibility needs and require alternate formats of this document or other accommodations please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.



Clarington

Briana Bloomfield, Deputy Clerk
City of Owen Sound
808 2nd Ave East
Owen Sound ON N4K 2H4



C.S. - LEGISLATIVE SERVICES

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JUL 20 10:41:51

July 19, 2017

Sent via Regular Mail

The Honourable Kathleen Wynne
Premier of Ontario
Legislative Building – Room 281
Queen’s Park
TORONTO ON M7A 1A1

Dear Premier Wynne:

Re: Support Resolution – Request for Economic Impact Analysis

City Council, at its meeting held on July 17, 2017 considered the above noted matter and the following Resolution No. R-170717-014 was adopted:

"WHEREAS the Province of Ontario has recommended changes to the Employment Standards Act; and

WHEREAS the Province of Ontario has many municipalities with differing and unique economic circumstances; and

WHEREAS to protect jobs against unintended consequences that may come about as a result of implementing these changes;

BE IT THEREFORE resolved that the Council of the Corporation of the City of Owen Sound supports the Ontario Chamber of Commerce's request that an Economic Impact Analysis be done of the proposed reforms prior to implementation."

The City of Owen Sound appreciates your attention to the important matter.

Sincerely,

Briana Bloomfield, B.A. (Hons.)
Deputy Clerk
/bb

- c: New Democratic Party Leader, Andrea Horwath
- Progressive Conservative Party Leader, Patrick Brown
- Bruce-Grey-Owen Sound M.P.P., Bill Walker
- Association of Municipalities of Ontario
- All Ontario Municipalities

From: Trish Barnett <T.Barnett@lsrca.on.ca>
Sent: July-06-17 11:31 AM
To: Tecumseth); 'Dawn McAlpine (Barrie)'; 'Debbie Leroux (Uxbridge)'; 'Doug Irwin (Oro-Medonte)'; 'Fernando Lamanna'; 'Gillian Angus-Trail'; 'Janet Nyhof'; 'Janette Teeter (Oro-Medonte)'; 'Jennifer Connor (Ramara)'; 'John Daly (Simcoe)'; 'John Espinosa'; 'JP Newman (jnewman@scugog.ca)'; 'Judy Currins (Kawartha Lakes)'; 'Karen Shea (kshea@innisfil.ca)'; 'Kathryn Smyth (King)'; 'Mike Derond (Aurora)'; 'Newmarket'; 'Clerks'; 'Patty Thoma'; 'Rebecca Murphy (Clerk, Bradford/West Gwillimbury)'; 'Thomas Gettinby'; 'agendaitems@city.kawarthalakes.on.ca'; 'jwatts@city.kawarthalakes.on.ca'; 'kcreamer@innisfil.ca'; 'kjacob@innisfil.ca'; 'dhewitt@oro-medonte.ca'; 'kgill@townofbwg.com'
Cc: 'Betty DeBartolo (bdebartolo@e-aurora.ca)'; 'Councillor Avia Eek'; 'Councillor Avia Eek(aeek@king.ca)'; 'Councillor Dave Kerwin'; 'Councillor Ken Ferdinands (Whitchurch-Stouffville)'; 'Councillor Pat Molloy (Uxbridge)'; 'Councillor Peter Ferragine (Bradford West Gwillimbury)'; 'Councillor Peter Silveira (Barrie)'; 'Councillor Richard Simpson (Innisfil)'; 'Councillor Scott Macpherson (Oro-Medonte)'; 'Councillor Shira Harrison McIntyre (New Tecumseth)'; 'Councillor Stephen Strangway'; 'Debbie Bath'; 'Deputy Mayor/Regional Councillor Naomi Davison'; 'Gina Casey'; 'Jay Dolan (Barrie Citizen)'; 'Mayor Geoffrey Dawe (Town of Aurora) (gdawe@e-aurora.ca)'; 'Mayor Margaret Quirk (Georgina)'; 'Mayor Virginia Hackson'; 'Bobbie Drew'; 'Tammi Roberts'; 'Mike Walters
Subject: LSRCA Letter to Members of Council regarding the Township of Ramara - Additional Information
Attachments: Letter to LSRCA Member Municipalities regarding the Township of Ramara - June 2017.pdf

Good morning Regional and Municipal Clerks:

On June 29th, the attached letter regarding the Township of Ramara was sent to member municipalities. It would appear by some responses received that we were not entirely clear in our request, and we apologize for any confusion caused.

In the letter we mention that the Township of Ramara has appealed its 2017 LSRCA levy apportionment to the Mining and Lands Commission, and that this will result in a hearing where both LSRCA and Ramara will present their cases for judgement. We do not yet have a date for this hearing; however, we anticipate it may be September or later given that Ramara has just recently begun this appeal process. Each member municipality has the option to attend this hearing, but we suggest an alternate approach whereby LSRCA would gather support by way of resolution from each member that would be introduced by LSRCA during the hearing.

We ask that you please consider approving a resolution similar to the following, with a copy being provided by return email to Trish Barnett (t.barnett@lsrca.on.ca) by September 1, 2017:

- WHEREAS the Lake Simcoe Region Conservation Authority (LSRCA) has advised its member municipalities that the Township of Ramara has advised that it no longer wishes to be an LSRCA member, and that it is appealing the 2017 LSRCA levy apportionment to the Ontario Mining and Lands Commissioner;
- AND WHEREAS it is LSRCA's position that the Township of Ramara be held accountable for its fair and equitable share towards the provincially mandated programs being delivered by LSRCA;

- THEREFORE BE IT RESOLVED THAT (insert municipality) is in full support of the Lake Simcoe Region Conservation Authority in its quest to hold the Township of Ramara accountable for its fair and equitable share towards the provincially mandated programs being delivered by LSRCA.

~~We thank all of you for your support, and we hope this clears up any confusion that we may have caused.~~

Thank you and best regards,
Trish

Trish Barnett

Coordinator, BOD/CAO, Projects and Services
Lake Simcoe Region Conservation Authority
120 Bayview Parkway,
Newmarket, Ontario L3Y 3W3
905-895-1281, ext. 223 | 1-800-465-0437 |
t.barnett@LSRCA.on.ca | www.LSRCA.on.ca

Twitter: @LSRCA

Facebook: LakeSimcoeConservation

The information in this message (including attachments) is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed. The message may contain information that is privileged, confidential and exempt from disclosure under the Municipal Freedom of Information and Protection of Privacy Act and by the Personal Information Protection Electronic Documents Act. If you have received this message in error, please notify the sender immediately and delete the message without making a copy. Thank you.

From: Trish Barnett

Sent: Thursday, June 29, 2017 3:01 PM

Subject: LSRCA Letter to Members of Council regarding the Township of Ramara

Good afternoon Regional and Municipal Clerks:

Attached please find a letter from Mike Walters regarding the Township of Ramara. We ask that you please share this letter with your Members of Council for their consideration.

If you have any concerns or questions or would like some additional information, please do not hesitate to contact us.

Best wishes to all of you and your families for a safe and Happy Canada Day long weekend !

Thank you and regards,
Trish

Trish Barnett

Coordinator, BOD/CAO, Projects and Services
Lake Simcoe Region Conservation Authority
120 Bayview Parkway,
Newmarket, Ontario L3Y 3W3
905-895-1281, ext. 223 | 1-800-465-0437 |
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Twitter: @LSRCA

Facebook: LakeSimcoeConservation



JUL 5 '17 PM 12:12

www.LSRCA.on.ca

Original
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To: Bridgeman ✓
C.C. S.C.C. File
Take Appr. Action

June 29, 2017

Via email only to Regional and Municipal Clerks

Chairs, Mayors and Members of Council
LSRCA Member Municipalities

Dear Chairs, Mayors and Members of Council:

Re: The Township of Ramara

I am writing to inform you that the Township of Ramara (Ramara) has appealed the Lake Simcoe Region Conservation Authority's (LSRCA) levy apportionment for 2017 and has informed LSRCA that it no longer wishes to be a member. While rationale for this decision has not been provided in writing, Ramara Mayor and Council did imply during a meeting that the municipality is not getting a fair return on its investment and that LSRCA is limiting Ramara's ability to grow.

The current levy apportionment to Ramara is approximately \$42,213, which funds core programming and services such as water risk management (flood forecasting and warning, hazard mapping, implementation of the Section 28 regulations including enforcement, plan review), integrated watershed management (development and implementation of subwatershed plans, source water protection), as well as corporate services support (administration and basic operations).

Currently, Ramara is a member of LSRCA, and accordingly LSRCA is required through provincial legislation to deliver specific core services to its member municipalities. LSRCA is expending significant resources to deliver water risk and integrated watershed management programs within Ramara and is resolute that the benefiting municipality should be responsible for its share of funds to cover these expenses. The consequences of Ramara's non-payment of its levy would shift this financial burden to our other member municipalities, an outcome that is neither fair nor equitable, and LSRCA will be seeking a ruling to ensure that Ramara continues to pay its fair share of the levy as required.

Ramara's appeal has been made through the *Conservation Authorities Act*, Section 27, to the Mining and Lands Commission and will result in a hearing where upon both parties will present their cases for judgement. As the outcome of the hearing will directly impact each municipality as a funding partner, each member municipality will have the option to attend and represent its own interests at the hearing. As this could require significant municipal staff time and resources, instead I would like to recommend an alternate approach which would still be as impactful as your municipality's attendance at the hearing. This alternate approach involves gaining each member municipality's support by way of a resolution of support that would

Chairs, Mayors and Members of Council
LSRCA Member Municipalities
June 29, 2017
Page 2

request that the Township of Ramara be directed to pay its share of LSRCA's 2017 levy. The resolutions would be introduced during the hearing to support LSRCA's position that Ramara be held accountable and pay its fair and equitable share towards the provincially mandated programs being delivered by LSRCA.

Ramara's suggestion that they are not receiving good return on their investment is totally unfounded as they have benefited financially probably more than any other municipality in the watershed. The costs to undertake hazard mapping, subwatershed plans and fund remedial projects have largely been resourced through LSRCA's partnerships with the Federal and Provincial governments, as well as the Lake Simcoe Conservation Foundation and other interest groups. From 2010 to 2016, a total of 146 remedial projects were completed in Ramara at a total cost of more than \$2.4 million dollars. The total investment by Ramara towards these programs for this period was \$105,844, which equates to a return of more than \$23 dollars for every \$1 invested. Costs associated with completing the subwatershed planning totalled approximately \$234,000, of which Ramara contributed \$37,500 resulting in a return of \$5 dollars for every \$1 dollar invested. Other services such as education and engagement, environmental monitoring, and a host of support services associated with implementation of the Lake Simcoe Protection Act and Plan have been provided at no cost to Ramara.

It truly is unfortunate that Ramara does not recognize the value of its membership with LSRCA and is opting to discontinue this partnership. However, until such time as Ramara is successful in its bid to leave, LSRCA will not only continue to provide the provincially mandated and legislated program and services but will also seek Ramara's financial support to help cover these costs.

Your municipality's role and continued support as a member of LSRCA is very much appreciated and is integral to LSRCA's success in achieving our mission to work with our community to protect and restore Lake Simcoe and its watershed.

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

Sincerely,

Mike Walters
Chief Administrative Officer

copy: LSRCA Board of Directors

July 25, 2017 4:01 PM

From: Samantha Kong <samantha.kong@townofws.ca>
Sent: July-25-17 2:48 PM
To: Trish Barnett; clerks@aurora.ca; christopher.raynor@york.ca; cmaher@newtecumseth.ca; DMcAlpine@barrie.ca; dleroux@town.uxbridge.on.ca; dirwin@oro-medonte.ca; flamanna@eastwillimbury.ca; jteeter@oro-medonte.ca; jconnor@ramara.ca; john.daly@simcoe.ca; jespinoza@georgina.ca; jnewman@scugog.ca; jcurrins@city.kawarthalakes.on.ca; kshea@innisfil.ca; ksmyth@king.ca; ksaini@newmarket.ca; llyons@newmarket.ca; mderond@aurora.ca; Clerks; pthoma@innisfil.ca; rmurphy@townofbwg.com; Thomas Gettinby
Cc: Gillian Angus-Trail; Ken Ferdinands
Subject: Town of WS Council Resolution, re: LSRCA - Township of Ramara

Re: Resolution from Councillor Ferdinands, re: Correspondence from LSRCA - Township of Ramara 2017 LSRCA Levy Apportionment to the Ontario Mining and Lands Commissioner

Please be advised that the above-noted matter was brought to Council at its meeting held on July 18, 2017, and the following resolution was passed:

Moved by Councillor Ferdinands
 Seconded by Councillor Kroon

- 1) That Council regrets the fact that a dispute exists between the Lake Simcoe Region Conservation Authority (LSRCA) and the Township of Ramara; and
- 2) That Council requests that the Township of Ramara re-consider their current position with respect to membership and payment of the allotted share of the levy until such time as the Mining and Lands Commissioner determines otherwise; and
- 3) That Council direct staff to send a copy of this resolution to all member municipalities of LSRCA.

Carried

C.S. - LEGISLATIVE SERVICES

Original To: CIP
Copy To: B. Badgeman
CC: S.C.A. file
Take Appr. Action



Samantha Kong
 Council Coordinator | Corporate Services
 Town of Whitchurch-Stouffville
 111 Sandiford Dr., Stouffville ON | L4A 0Z8
 905-640-1910 Ext. 2222 | Fax: 905-640-7957 | townofws.ca
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The Regional Municipality of Durham

MINUTES

ACCESSIBILITY ADVISORY COMMITTEE

Tuesday, June 27, 2017

A meeting of the Accessibility Advisory Committee was held on Tuesday, June 27, 2017 in Meeting Room 1-A, Regional Headquarters Building, 605 Rossland Road East, Whitby at 1:05 PM.

Present: M. Sutherland, Oshawa, Chair
S. Sones, Whitby, Vice-Chair
D. McAllister, Executive Director, DREN
J. Stevenson, Ajax

Absent: R. Atkinson, Whitby
S. Barrie, Clarington
M. Bell, DMHS
Councillor J. Drumm
M. Roche, Oshawa
A. O'Bumsawin, Clarington
P. Rundle, Clarington

Staff

Present: A. Gibson, Director of Corporate Policy and Strategic Initiatives
J. Traer, Accessibility Coordinator, Office of the Chief Administrative Officer
N. Prasad, Committee Clerk, Corporate Services – Legislative Services

1. Declarations of Interest

There were no declarations of interest.

2. Approval of Agenda

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

3. Adoption of Minutes

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

4. Presentation

A) Samantha Walsh and Leanne Larmondin, Direct Funding regarding the Direct Funding Program – Self Managed Attendant Services in Ontario

S. Walsh and L. Larmondin provided a PowerPoint Presentation with regards to Direct Funding, Self-Managed Attendant Services.

L. Larmondin stated that the Direct Funding Program enables adults with physical disabilities to become employers of their own attendants. She stated that attendants assist with routine daily activities such as dressing, grooming and bathing. The Direct Funding Program is administered by the Centre for Independent Living in Toronto (CILT), Inc. in partnership with the Ontario Network of Independent Living Centres (ONILC) and is funded by the Ontario Ministry of Health. She advised that CILT is operated by a community board of volunteers whose membership must be comprised of a majority of persons with disabilities.

L. Larmondin stated that the Independent Living movement believes that people with disabilities know their own needs and are capable of finding solutions to problems around disability issues, can take risks and make mistakes, and should focus on quality of life, not on limitations. She stated that CILT is a resource centre for persons with a disability or disabilities and some of the core programs include information and referral, peer support, independent living skills training, project information centre, direct funding, and other supports.

S. Walsh stated that applicants for Direct Funding:

- must be 16 or over;
- must require attendant services due to a permanent physical disability;
- must require assistance with at least one of the following: transferring, bathing, toileting or dressing;
- must have attendant care needs that have been stable over the past year;
- must be able to schedule attendants and make alternative arrangements;
- must be able to recruit, hire, train and manage attendant workers;
- must understand and carry out the responsibilities as an employer of one or more attendant workers; and
- manage and account for the expenditure of funds that would be granted to him/her.

L. Larmondin reviewed the steps to the application process and provided a brochure with an application guide and further information. She stated that prior to an interview, each applicant is provided with resources and supports to help them prepare. Each applicant is interviewed by 3 panelists who decides whether the applicant is eligible based on the eligibility criteria.

L. Larmondin stated that benefits of direct funding are improved family relationships, and greater choice, independence and control. She stated that some advantages of direct funding are that participants can hire people they select based on their individual requirements, they are in charge of their own staff, they schedule their attendants to meet their daily living needs as defined by them, they receive monthly funds to manage expenses, they choose where they would like to live in Ontario, and there is an increased level of satisfaction with attendant services.

S. Walsh and L. Larmondin responded to questions of the Committee with regards to what the criteria is to be an attendant and whether the applicant can select the gender of their attendant; the number of people currently on the program; whether there's a check-in process; whether interviews can be conducted at different locations; and whether there is a maximum amount of people allowed to be on the program.

5. Business Arising from the Minutes

There was no business arising from the minutes.

6. Correspondence

There were no items of correspondence to consider.

7. Reports

A) Education Sub-committee Update

J. Traer advised that there are no presentations scheduled for the September meeting as the Joint Forum of the Accessibility Advisory Committees will be held later that day.

B) Update on the Transit Advisory Committee (TAC)

M. Roche attended the Transit Advisory Committee meeting held on June 6, 2017 and provided an update to the committee via email on June 18, 2017.

C) Update from the Accessibility Coordinator

- J. Traer advised that staff is rewriting the Accessibility pages on the regional website and would like to use the names, pictures and a brief biography of committee members. She requested that members advise her of any concerns with regards to this.
- J. Stevenson advised that the Ontario government is developing an Accessibility Standard for Education under the Accessibility for Ontarians with Disabilities Act (AODA). She advised that there is a survey on the CNIB website to provide feedback with regards to the existing barriers to accessible education in Ontario. The deadline to complete the survey is June 30, 2017.

- J. Traer stated that there was a lot of interest in the National Accessibility Awareness Week Lunch and Learn seminars as well as the displays. She stated that the focus on mental health and non-visible disabilities attracted a lot of attention and overall, the week was a success.
- J. Traer congratulated S. Barrie and Community Care Durham as they celebrated their 40th anniversary of being in Durham Region.
- J. Traer advised that Dawn Campbell of the Rick Hansen Foundation is compiling a list of accessible play spaces and has requested that she be advised or provided with pictures of any accessible play spaces in Durham Region.
- J. Traer advised that Durham will be hosting the 2019 Ontario Parasport Games.
- J. Traer advised that the Region of Durham was chosen as one of the recipients of the Municipal Accessibility Award sponsored by the Ontario Municipal Social Services Association (OMSSA). She advised that the award recognizes champions who have displayed extraordinary leadership with regards to the awareness of activities associated with advancing accessibility in their municipality or region.

8. Discussion Items

A) Feedback regarding proposed recommendations for the Transportation Standard

J. Traer stated that the proposed recommendations for the Transportation Standard was provided to Committee members on June 2, 2017 via email. She advised that she will re-circulate the proposed recommendations to Committee members with a request that they provide their written comments before July 19, 2017.

9. Administration Matters

A) Status of Accessibility Advisory Committee meeting scheduled for August 22, 2017

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

10. Other Business

A) **Construction of New Tim Hortons Store at Garden Street and Rossland Road in Whitby**

S. Sones advised that the construction of the new Tim Hortons store at Garden Street and Rossland Road has a retaining wall with a sharp corner that would make it difficult to maneuver a mobility device. It was suggested that she advise the Town of Whitby of this concern.

11. Date of Next Meeting

[Following the meeting, committee members were requested to advise whether they were in agreement to cancelling the August 22nd meeting due to the fact that it is often difficult to obtain quorum during the summer months. It was determined that the meeting scheduled for August 22, 2017 be cancelled.]

The next regularly scheduled meeting of the Accessibility Advisory Committee will be held on Tuesday, September 26, 2017 in Boardroom LL-C, Regional Headquarters Building, 605 Rossland Road East, Whitby, at 3:00 PM.

12. Adjournment

The meeting adjourned at 2:36 PM

M. Sutherland, Chair
Accessibility Advisory Committee

N. Prasad, Committee Clerk

Action Items Committee of the Whole and Regional Council

Meeting Date	Request	Assigned Department(s)	Anticipated Response Date
September 7, 2016 Committee of the Whole	Staff was requested to provide information on the possibility of an educational campaign designed to encourage people to sign up for subsidized housing at the next Committee of the Whole meeting. (Region of Durham's Program Delivery and Fiscal Plan for the 2016 Social Infrastructure Fund Program) (2016-COW-19)	Social Services / Economic Development	October 5, 2016
September 7, 2016 Committee of the Whole	Section 7 of Attachment #1 to Report #2016-COW-31, Draft Procedural By-law, as it relates to Appointment of Committees was referred back to staff to review the appointment process.	Legislative Services	First Quarter 2017
October 5, 2016 Committee of the Whole	That Correspondence (CC 65) from the Municipality of Clarington regarding the Durham York Energy Centre Stack Test Results be referred to staff for a report to Committee of the Whole	Works	
December 7, 2016 Committee of the Whole	Staff advised that an update on a policy regarding Public Art would be available by the Spring 2017.	Works	Spring 2017
January 11, 2017 Committee of the Whole	Inquiry regarding when the road rationalization plan would be considered by Council. Staff advised a report would be brought forward in June.	Works	June 2017

Meeting Date	Request	Assigned Department(s)	Anticipated Response Date
January 18, 2017	In light of the proposed campaign self-contribution limits under Bill 68 and the recent ban on corporate donations which will require candidates for the elected position of Durham Regional Chair to raise the majority of their campaign funds from individual donors, staff be directed to prepare a report examining the potential costs and benefits of a contribution rebate program for the Region of Durham.	Legislative Services	Fall 2017
March 1, 2017 Committee of the Whole	Staff was directed to invite the staff of Durham Region and Covanta to present on the Durham York Energy Facility at a future meeting of the Council of the Municipality of Clarington.	Works	
March 1, 2017 Committee of the Whole	Staff was requested to advise Council on the number of Access Pass riders that use Specialized transit services.	Finance/DRT	March 8, 2017
March 1, 2017 Committee of the Whole	A request for a report/policy regarding sharing documents with Council members.	Corporate Services - Administration	Prior to July 2017

Meeting Date	Request	Assigned Department(s)	Anticipated Response Date
<p>May 3, 2017 Committee of the Whole</p>	<p>Discussion ensued with respect to whether data is collected on how many beds are created through this funding; and, if staff could conduct an analysis of the Denise House funding allocation to determine whether an increase is warranted. H. Drouin advised staff would investigate this and bring forward this information in a future report.</p>	<p>Social Services</p>	
<p>May 3, 2017 Committee of the Whole</p>	<p>Discussion ensued with respect to whether staff track the job loss vacancies in Durham Region, in particular the retail market. K. Weiss advised that staff will follow-up with the local area municipalities and will report back on this matter.</p>	<p>Economic Development & Tourism</p>	