

The Corporation of the Town of Ajax
SPECIAL COUNCIL



Tuesday, November 29, 2022 at 1:00 p.m.
Electronic Meeting
65 Harwood Avenue South

AGENDA

*Alternative formats available upon request by contacting:
accessibility@ajax.ca or 905-619-2529 ext. 3347*

Electronic Meeting: In-person attendance is not permitted at this meeting of Council. This meeting will be livestreamed for viewing at ajax.ca/live. Electronic participation is permitted pursuant to Council's Procedure By-law.

Online Agenda: Anything in **blue** denotes an attachment/link. By clicking the links on the agenda page, you can jump directly to that section of the agenda.

1. **Call to Order & Acknowledgement of Traditional Treaty Lands**

2. **Disclosure of Pecuniary Interest**

3. **Business to be Considered**
 - 3.1. **Tilling of the Lower Duffins Creek Wetland**
Regional Councillor Dies / Regional Councillor Crawford 2

 - 3.2. **Requesting More Time and Consultation on Bill 23, the More Homes Built Faster Act, 2022**
Regional Councillor Dies / Regional Councillor Lee 4

4. **Confirming By-Law [69-2022](#) 6**

5. **Adjournment**

**The Corporation of the Town of Ajax
November 29, 2022**

Motion

Tilling of the Lower Duffins Creek Wetland

Moved by: Regional Councillor Dies
Seconded by: Regional Councillor Crawford

WHEREAS Ajax Council passed a motion on November 9, 2020, opposing the development of the provincially significant Lower Duffins Creek Wetland, and worked closely with environmental groups, First Nations stakeholders, and community members to successfully halt plans to pave over the 57 acres of wetland for a massive warehouse development;

AND WHEREAS the Narwhal reported on November 4, 2022, that approximately 90% of the Lower Duffins Creek Wetland in the Bayly Street and Squires Beach Road area of Pickering, had been cleared and tilled;

AND WHEREAS the issue is under investigation by the Toronto and Region Conservation Authority as the activity is in contravention to Ontario regulation 166/06 under the Conservation Authorities Act, which states no person may change or interfere in any way with a wetland without the permission of a conservation authority;

AND WHEREAS Kelly LaRocca, Chief of the Mississaugas of Scugog Island First Nation (MSIFN), released a statement on November 21, 2022 expressing the shock of the MSIFN at the “reckless and unnecessary destruction” and calling for the “protection of this significant part of our ecosystem”;

AND WHEREAS revisions to the Ontario Wetland Evaluation System have been proposed under Bill 23, *the More Homes Built Faster Act, 2022* which would result in a tilled site no longer being considered a wetland;

AND WHEREAS Ajax has serious concerns regarding any devaluing of protections for Ontario’s wetlands, and has been a proponent of local wetlands, as exemplified by the Kerrison Road Wetland Restoration Project, which has expanded marsh and swamp wetland habitat, decommissioned old farm ponds and associated infrastructure, restored and stabilized existing stream bank erosion, and managed invasive species;

NOW THEREFORE BE IT RESOLVED THAT:

1. Ajax Council strongly opposes the blatant and purposeful damage of any wetland;
2. Ajax Council joins Mississaugas of Scugog Island First Nation in its shock regarding the destruction of the Lower Duffins Creek Wetland;
3. Ajax Council opposes proposed revisions to the Ontario Wetland Evaluation System which changes the classification of a wetland after tillage; and

4. A copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable David Piccini, Minister of Environment, Conservation and Parks, Patrice Barnes, MPP Ajax, the Honourable Peter Bethlenfalvy, Minister of Finance and MPP Pickering, John Henry, Durham Region Chair, Kevin Ashe, Pickering Mayor, and John MacKenzie, CEO at Toronto and Region Conservation Authority.

**The Corporation of the Town of Ajax
November 29, 2022**

Motion

**Requesting More Time and Consultation on Bill 23, the
More Homes Built Faster Act, 2022**

Moved by: Regional Councillor Dies
Seconded by: Regional Councillor Lee

WHEREAS on October 25, 2022, the province introduced Bill 23, the More Homes Built Faster Act, 2022 (Bill 23) which, if passed, will make substantial changes to multiple pieces of existing legislation and result in significant impacts to municipal responsibilities, planning processes, and finances;

AND WHEREAS keeping in mind the scale and significance of the proposed changes, the province has not provided sufficient time to engage in fulsome, effective, and meaningful consultation with municipalities or to identify the unintended consequences and serious implications that may arise from these changes, and which may ultimately frustrate the goal of building more homes faster;

AND WHEREAS the Town of Ajax supports Ontario's goal to build 1.5 million homes over the next decade to address the housing crisis, and has already taken steps to address the issue locally, by undertaking numerous studies, including the Town of Ajax Housing Strategy, the Central Ajax Intensification, Servicing & Transportation Strategy, and identifying areas within the existing urban area appropriate for increased residential density;

AND WHEREAS Town staff have reviewed the proposed changes to Development Charges, Parkland Dedication, and Community Benefit Charges and have quantified the anticipated financial impact on Development Charges over a 10-year period to be a reduction of approximately \$19.3M, equating to \$1.9M per year or an annual tax levy increase of 2.5% and which does not include funding shortfalls related to other exclusions, discounts, Parkland Dedication and Community Benefits Charges;

AND WHEREAS the resulting budget constraints are expected to significantly delay investments in growth-related infrastructure in the Town of Ajax;

AND WHEREAS Bill 23 may result in serious impacts to climate protections and a downloading of costs, in relation to changes to Conservation Authorities and Ontario's Wetland Evaluation System (OWES), may limit the Town's ability to improve energy performance, reduce greenhouse gas emissions and create a climate resilient community through the Ajax Green Standard, and may lead to increased flooding;

AND WHEREAS Bill 23 would enact the Supporting Growth and Housing in York and Durham Regions Act, 2022, which despite the opposition of Ajax Council, would require the expansion of the existing York Durham Sewage System to bring wastewater from York Region to the Duffin

Creek Water Pollution Control Plant (WPCP). The Town of Ajax has asked for assurance that all conditions outlined by the York Region Wastewater Advisory Panel are met, including modeling to confirm the accommodation of flow within the existing and expanded infrastructure and that the Intrabasin Transfer Agreement will be sufficient to support the servicing strategy to 2051 and beyond, that the newest innovative treatment technologies will be utilized at the Duffin Creek WPCP, and that additional costs associated with supporting growth in Upper York would not be paid for by residents of Durham Region;

AND WHEREAS Mayor Shaun Collier sent a letter on November 11, 2022, to the Honourable Steve Clark, Minister of Municipal Affairs and Housing, requesting that the comment period on postings related to Bill 23 be extended to at least December 31, 2022, and on November 28, 2022, to the Honourable David Piccini, Minister of Environment, Conservation and Parks requesting that he address questions and concerns regarding the expansion of the York Durham Sewage System;

NOW THEREFORE BE IT RESOLVED THAT:

1. Ajax Council requests the province engage in a fulsome consultation with municipalities and adopt amendments to Bill 23 that will mitigate the unintended consequences of the bill, including financial burdens that will prevent municipalities from getting more homes built faster, result in a greater burden on municipal taxpayers, and lead to significant negative environmental impacts; and
2. A copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, Patrice Barnes, MPP Ajax, all local Durham MPPs, the Ontario Big City Mayors, and the Association of Municipalities of Ontario.

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 69-2022

Being a By-Law to confirm the proceedings of the Council of the Corporation of the Town of Ajax at its special meeting of November 29, 2022.

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

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

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

1. That the actions of the Council at its special meeting held on the 29th day of November, 2022 and in respect of each motion, resolution and other action passed and taken by the Council at its said meeting, is, except where the prior approval of the Ontario Land Tribunal or other body is required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.

2. That the Head of the Council and proper officers of the Corporation of the Town of Ajax are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain appropriate approvals where required, except where otherwise provided, and to affix the Corporate Seal of the Corporation of the Town of Ajax to all such documents.

READ a first and second time this
Twenty-Ninth day of November,
2022.

READ a third time and passed this
Twenty-Ninth day of November,
2022.

Mayor

D-Clerk