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The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, February 6, 2019

A regular meeting of the Works Committee was held on Wednesday, February 6, 2019 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM

Present: Councillor Mitchell, Chair attended the meeting at 9:34 AM
Councillor Marimpietri, Vice-Chair
Councillor Barton
Councillor Crawford
Councillor John Neal
Councillor Smith
Regional Chair Henry

Also

Present: Councillor Collier attended the meeting at 9:56 AM
Councillor Joe Neal left the meeting at 11:28 AM
Councillor Kerr attended the meeting at 9:43 AM

Absent: Councillor McLean

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer
J. Demanuele, Director of Business Services, Works Department
J. Hunt, Director of Legal Services, Corporate Services – Legal Services
R. Jagannathan, Director of Transportation and Field Services, Works Department
M. Januszkiewicz, Director of Waste Management, Works Department
J. Paquette, Manager (Works), Corporate Communications
J. Presta, Director of Environmental Services, Works Department
S. Rashad, Systems Support Specialist, Corporate Services – IT
S. Siopis, Commissioner of Works
S. Penak, Committee Clerk, Corporate Services – Legislative Services

In the absence of the chair, Vice-Chair Marimpietri assumed the chair from 9:30 AM to 9:39 AM.

1. Declarations of Interest

There were no declarations of interest.

2. Adoption of Minutes

Moved by Regional Chair Henry, Seconded by Councillor Barton,
(17) That the minutes of the regular Works Committee meeting held on
Wednesday, January 9, 2019, be adopted.

CARRIED

3. Statutory Public Meetings

There were no statutory public meetings.

4. Delegations

4.1 Alex Williamson, President, Pine Grove Cemetery Board, re: Regional Water
Installation at the Ontario Pine Grove Cemetery

A. Williamson appeared before the Committee regarding regional water
installation at the Ontario Pine Grove Cemetery.

A. Williamson informed the Committee that the cemetery property's southern line
has 90m of frontage and has been used for burials since 1831, therefore no
commercial or residential buildings could be built there.

A. Williamson requested that the \$27,000 levy fee and \$5,000 installation fee be
waived or, at the least, consideration of the standard rate multiplied by a 10-metre
opening.

Staff responded to questions from the Committee regarding standard practices,
as it relates to the waiving of connection frontage fees.

Moved by Councillor John Neal, Seconded by Councillor Smith,
(18) That staff be requested to investigate the request from the delegate to
waive the levy fee and installation fee, and any previous situations, and
report back to the Works Committee with a recommendation.

CARRIED

5. Presentations

There were no presentations to be heard.

6. Waste

6.1 Correspondence

A) Information Report #2018-INFO-127: Single Use Plastics

Chair Mitchell advised that Report #2018-INFO-127 of the Commissioner of Works was received for information at the January 9, 2019 Works Committee meeting.

6.2 Reports

A) City of Vancouver Single-Use Items Reduction Strategy (2019-WR-1)

Report #2019-WR-1 from S. Siopis, Commissioner of Works, was received.

Detailed discussion ensued regarding the City of Vancouver's initiatives and costs; whether single-use plastics would be a topic at the 2019 Federation of Canadian Municipalities (FCM) conference; extended producer responsibility; and the importance of continuing public education related to product packaging.

Staff responded to questions and noted that discussions and meetings are ongoing with producers and local municipalities on mechanisms that will allow extended producer responsibility to be brought to Ontario. Staff also advised that enabling regulations are being drafted to accelerate the process that would outline the transition process and future responsibilities of the producers. Staff advised they will bring back a report to Committee with more information, when available.

Moved by Councillor Barton, Seconded by Regional Chair Henry,
(19) That Report #2019-WR-1 of the Commissioner of Works be lifted from the table.

CARRIED

Moved by Councillor Marimpietri, Seconded by Councillor Crawford,
(20) That we recommend to Council:

- A) Whereas plastic waste is an urgent environmental issue creating waste disposal concerns and threatening the health of waterways and oceans:
- i) That federal and provincial leadership is required to adequately address waste generation issues that are significantly beyond the control of individual municipalities; and
 - ii) That Regional Chair Henry submit a letter to the Premier of Ontario and Minister of the Environment, Conservations and Parks highlighting the need for provincial leadership to encourage the development of

plastics recycling markets and energy recovery solutions where recycling is not a viable option.

CARRIED AS AMENDED
LATER IN THE MEETING
(SEE FOLLOWING MOTION)

Moved by Councillor Marimpietri, Seconded by Councillor Barton,
(21) That the main motion (20) of Councillors Marimpietri and Crawford be amended to add a new Part iii) and iv) as follows:

- iii) Furthermore; that the federal and provincial governments undertake a full review of single use plastics and duly ban those deemed most dangerous to our environment; and
- iv) That the federal and provincial governments continue to encourage producers and operators currently utilizing single use plastic to instead proactively conduct their businesses with recyclable materials in mind.

CARRIED

The main motion (20) of Councillors Marimpietri and Crawford was then put to a vote and CARRIED AS AMENDED.

B) Award of Request for Proposal #633-2018 Energy from Waste Facility Professional Services for Operations and Maintenance Monitoring Services for the Durham York Energy Centre (2019-WR-2)

Report #2019-WR-2 from S. Siopis, Commissioner of Works, was received.

In response to a question, S. Siopis outlined the specific tasks HDR performs to support Regional Staff in the oversight of the EFW. She also indicated that HDR and the Region have a positive working history to date and confirmed that the staff recommendation to award the assignment to HDR is based on results of an RFP Process.

M. Januszkiewicz clarified the role of HDR and confirmed that monetary value of the new contract is consistent with the past allocation in the DYEC operating budget for outlined activities.

M. Januszkiewicz committed to follow up with Councillor Joe Neal regarding viewing the HDR Corporation reports.

Moved by Councillor Smith, Seconded by Councillor Barton,
(22) That we recommend to Council:

- A) That Request for Proposal #633-2018 be awarded to HDR Corporation to provide professional services for operations and maintenance monitoring services for the Durham York Energy Centre for a three year period beginning March 1, 2019 and ending December 31, 2021, at a total upset limit not to exceed \$768,436* with Durham's share (78.6%) to be funded from the Solid Waste Management – Durham York Energy Centre annual operating budget; and
- B) That the Commissioner of Finance be authorized to execute the professional services agreement.
(* includes disbursements and are before applicable taxes

CARRIED

C) Energy from Waste – Waste Management Advisory Committee (Host Community Agreement Committee) Membership Appointments (2019-WR-3)

Report #2019-WR-3 from S. Siopis, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Marimpietri,
(23) That we recommend to Council:

- A) That the following five applicants selected by members of the Works Committee be appointed for membership on the Energy from Waste – Waste Management Advisory Committee for a two-year term (2019-2020):
- George Rocoski
 - Anna-Marie Burrows
 - William Basztyk
 - Theresa Farrell
 - Clayton McLean; and
- B) That a copy of Report #2019-WR-3 be forwarded to the Municipality of Clarington for information.

CARRIED

7. Works

7.1 Correspondence

- A) Correspondence dated February 3, 2019 from Marysia and Richard Colvin regarding Report #2019-W-13: Additional Background Information Regarding the Legalities of the 2005 Ontoro Boulevard and Range Road Petition Process and Proposed Next Steps, and submitting additional comments

Moved by Regional Chair Henry, Seconded by Councillor Crawford,
(24) That the correspondence dated February 3, 2019 from Marysia and Richard Colvin regarding regarding Report #2019-W-13: Additional Background Information Regarding the Legalities of the 2005 Ontoro Boulevard and Range Road Petition Process and Proposed Next Steps and submitting additional comments be referred to consideration of Report #2019-W-13 of the Commissioner of Works.

CARRIED

7.2 Reports

- A) Site Plan Agreement for the Regional Municipality of Durham Municipal Hazardous and Special Waste Facility, in the Municipality of Clarington (2019-W-10)
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Report #2019-W-10 from S. Siopis, Commissioner of Works, was received.

Staff responded to questions regarding any input received from the Municipality of Clarington regarding this agreement; and potential challenges and costs related to renovating the building.

Moved by Councillor Smith, Seconded by Councillor Crawford,
(25) That we recommend to Council:

That the Regional Chair and Clerk be authorized to execute all documents associated with the site plan agreement and building permit process for the reconfiguration and renovation of the facility located at 1998 Regional Road 57, in the Municipality of Clarington to accommodate a new Municipal Hazardous and Special Waste facility.

CARRIED

- B) Report on Private Wells on Fielding Court in the Town of Ajax (2019-W-11)

Report #2019-W-11 from S. Siopis, Commissioner of Works, was received.

Detailed discussion ensued regarding the water quantity and quality in private wells for homes on Fielding Court, in the Town of Ajax (Ajax), and the broader definition of a health issue.

S. Siopis advised that this area would require a similar petition process as with Ontoro/Range Road and noted that there is not as much documented evidence regarding Fielding Court.

In response to a question, J. Hunt advised that the regulation surrounding who can determine a health issue has changed in that it no longer must be determined by the Medical Officer of Health (MOH), but that a health issue does need to be established.

Moved by Councillor Crawford, Seconded by Councillor Barton,
(26) That we recommend to Council:

- A) Whereas according to the Greenbelt Plan, properties within the Greenbelt can be connected to municipal services such as water only when a health risk exists;

Whereas residents on Fielding Court (Town of Ajax) have raised water quality and quantity concerns with their private water supply systems (wells) dating back to 2001, and continue to do so as of December 2018;

Whereas most residents on Fielding Court are supplementing their water supply with water that is trucked in;

Therefore be it resolved that Works Committee deem the quality of water from private wells for the residences of Fielding Court a health risk; and

- B) That staff be directed to report back to the Works Committee on a go forward plan to extend the municipal water supply to the residents of Fielding Court, in the Town of Ajax.

CARRIED AS AMENDED
LATER IN THE MEETING
(SEE FOLLOWING MOTION)

Moved by Regional Chair Henry, Seconded by Councillor Crawford,
(27) That the main motion (26) of Councillors Crawford and Barton be amended in Part A) so that the fourth clause now reads as follows:

Therefore be it resolved that staff investigate the quality and quantity of water from the private wells of the residences of Fielding Court to determine whether there is a health risk.

CARRIED

The main motion (26) of Councillors Crawford and Barton was then put to a vote and CARRIED AS AMENDED.

- C) Bulk Water Filling Stations and Hydrant Permits – Status Updates (2019-W-12)

Report #2019-W-12 from S. Siopis, Commissioner of Works, was received.

Discussion ensued regarding the discontinuation of water companies self-invoicing for bulk water.

Staff responded to questions from the Committee regarding the design features being built into the new bulk water filling stations including the ability to accommodate very large trucks; the location of the bulk water filling stations;

enforcement methods and how to educate the public on unlawful water taking; and lower tier municipalities bulk water agreements.

In response to a concern raised by Regional Chair Henry, J. Presta agreed to look into the lower tier municipalities bulk water agreements with regards to mark-ups and whether lower tiers pay for bulk water.

J. Presta agreed to provide Councillor Barton with the detailed costs of filling a truck with water by truck size.

S. Siopis advised Committee that staff could draft a memo in time for Regional Council February 27, 2019 with background information that would include a summary of the previous staff reports regarding the bulk water filling stations and hydrant permits and the rationale of the previous recommendations; investigate the question of contracts and local area municipal contracts and provide a summary of the information found; the concerns of a return on investment of building more bulk water filling stations; the main objective of how to protect the water system; and the possibility of using technology in the future that would monitor the water meters.

Moved by Councillor Marimpietri, Seconded by Councillor Smith,
(28) That we recommend to Council:

That the Regional Municipality of Durham continue to implement the renewal of bulk water filling stations and reduce hydrant permits as new bulk water filling station capacity is operational.

CARRIED

D) Additional Background Information Regarding the Legalities of the 2005 Ontoro Boulevard and Range Road Petition Process and Proposed Next Steps ([2019-W-13](#))

Report #2019-W-13 from S. Siopis, Commissioner of Works, was received.

Detailed discussion ensued regarding the 2005 Ontoro Boulevard and Range Road petition process.

Councillor Collier requested that Report #2019-W-13 of the Commissioner of Works be referred back until after the 2019 budget has passed. S. Siopis advised that the second petition could be timed so that it occurred after budget deliberations.

In response to a question, J. Hunt advised that the Greenbelt Act was proclaimed retroactively on February 24, 2005 and was enforced December 16, 2004. He also advised that a map of the 2005 Greenbelt Plan that identified the lands in the Plan at the time the Greenbelt came into force on December 16, 2004, could be provided via email to Councillors.

Moved by Councillor Marimpietri, Seconded by Councillor Barton,
(29) That we recommend to Council:

That the Regional Municipality of Durham undertake a new petition of the Ontoro
Boulevard and Range Road area for the installation of Regional water service.

CARRIED

8. Advisory Committee Resolutions

There were no advisory committee resolutions to be considered.

9. Confidential Matters

There were no confidential matters to be considered.

10. Other Business

A) Intersection at Delpark Homes Centre

Councillor John Neal questioned whether a signal would be built at the entrance
to the Delpark Homes Centre on Harmony Road, Oshawa. S. Siopis agreed to
follow up with staff on this and get back to him directly.

11. Date of Next Meeting

The next regularly scheduled Works Committee meeting will be held on
Wednesday, March 6, 2019 at 9:30 AM in the Lower Level Boardroom (LL-C),
Regional Headquarters Building, 605 Rossland Road East, Whitby.

12. Adjournment

Moved by Regional Chair Henry, Seconded by Councillor Marimpietri,
(30) That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:41 AM

Respectfully submitted,

D. Mitchell, Chair

S. Penak, Committee Clerk