



## The Regional Municipality of Durham

### Works Committee Agenda

Council Chambers  
Regional Headquarters Building  
605 Rossland Road East, Whitby

**Wednesday, September 4, 2019**

**9:30 AM**

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**1. Declarations of Interest**

**2. Adoption of Minutes**

A) Works Committee meeting – [June 5, 2019](#)

Pages 4 - 20

**3. Statutory Public Meetings**

There are no statutory public meetings

**4. Delegations**

4.1 Lillian Kuehn, Ajax resident, re: Petition for Watermain Construction on Range Road and Ontoro Boulevard, In the Town of Ajax

4.2 Linda Gasser, Durham resident, re: Notice of Commencement – Durham York Energy Centre Throughput Increase from 140,000 to 160,000 Tonnes per year

**5. Presentations**

5.1 Steve Kemp, Manager of Traffic Engineering and Operations, re: Automated Enforcement – Red Light Cameras and Automated Speed Enforcement (2019-W-65 and 2019-W-66) [Item 7.2 K) and Item 7.2 L)]

**6. Waste**

6.1 Correspondence

6.2 Reports

- A) Announcement by the Minister of Environment, Conservation and Parks regarding the Transition of the Blue Box to Extended Producer Responsibility ([2019-WR-9](#)) 21 - 23

## 7. Works

### 7.1 Correspondence

- A) Correspondence dated August 21, 2019 from the Ministry of Transportation, re: Proposed improvements at the Highway 401/Harmony Road/Bloor Street interchange 24

Recommendation: Receive for Information

### 7.2 Reports

- A) Lease with Durham College for Space Located at 2000 Simcoe Street North, in the City of Oshawa, for Durham Regional Police Services ([2019-W-53](#)) 25 - 28
- B) Petition for Construction of a Watermain on Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax ([2019-W-54](#)) 29 - 32
- C) Petition for Construction of a Watermain on Fielding Court, in the Town of Ajax ([2019-W-55](#)) 33 - 36
- D) Enactment of a By-law to Limit the Gross Vehicle Weight of Vehicles Passing over a Bridge Forming Part of the Regional Road System ([2019-W-56](#)) 37 - 44
- E) Traffic By-law Amendment to Permit Area Municipalities to use an Administrative Penalty System Process for By-law Infractions on Regional Roads ([2019-W-58](#)) 45 - 48
- F) Endorsement of Mr. Rob Franklin to the Trent Conservation Coalition Source Protection Committee ([2019-W-59](#)) 49 - 53
- G) Standardization and Approval to Award Sole Source Supply of Uninterruptible Power Supply Equipment ([2019-W-61](#)) 54 - 58
- H) Seaton Phase 1 Regional Infrastructure Front Ending Agreement – Amending Agreement ([2019-W-62](#)) 59 - 78
- I) Amendment and Extension of Lease for Premises with Campbell Drive Professional Building Inc. at 2 Campbell Drive, Suites 301 – 305, in the Township of Uxbridge for the Regional Municipality of Durham Social Services Department ([2019-W-63](#)) 79 - 81

- |    |                                                                                  |          |
|----|----------------------------------------------------------------------------------|----------|
| J) | Rainbow Pedestrian Crosswalks ( <a href="#">2019-W-64</a> )                      | 82 - 85  |
| K) | Red-Light Camera Program Implementation ( <a href="#">2019-W-65</a> )            | 86 - 97  |
| L) | Automated Speed Enforcement Program Implementation ( <a href="#">2019-W-66</a> ) | 98 - 109 |

## 8. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered.

## 9. Confidential Matters

### 9.1 Reports

- |    |                                                                                                                                                                                                                                                                                                                                                                                              |                      |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| A) | Confidential Report of the Commissioner of Works –<br>Litigation or Potential Litigation, including matters<br>before an Administrative Tribunal with respect to s. 30<br>Agreement under the Expropriations Act, R.S.O. 1990,<br>c. E.26, for Lands Acquired to Facilitate the<br>Reconstruction of Regional Road 1 (Brock Road), in the<br>City of Pickering ( <a href="#">2019-W-57</a> ) | Under Separate Cover |
| B) | Confidential Report of the Commissioner of Works –<br>Proposed or Pending Acquisition or Disposition of Land<br>for Regional Corporation Purposes with Respect to the<br>Purchase of Lands Required for the Bus Rapid Transit<br>Project, in the City of Pickering ( <a href="#">2019-W-60</a> )                                                                                             | Under Separate Cover |

## 10. Other Business

## 11. Date of Next Meeting

Wednesday, October 2, 2019 at 9:30 AM

## 12. Adjournment

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. This also includes oral submissions at meetings. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.

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## The Regional Municipality of Durham

### MINUTES

#### WORKS COMMITTEE

Wednesday, June 5, 2019

A regular meeting of the Works Committee was held on Wednesday, June 5, 2019 in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:33 AM

Present: Councillor Mitchell, Chair  
Councillor Marimpietri, Vice-Chair left the meeting at 11:00 AM and returned at 11:37 AM  
Councillor Barton  
Councillor Crawford  
Councillor McLean  
Councillor John Neal  
Councillor Smith  
Regional Chair Henry attended the meeting at 9:44 AM and left the meeting at 11:38 AM

Also  
Present: Councillor Anderson  
Councillor Wotten

Staff  
Present: E. Baxter-Trahair, Chief Administrative Officer  
G. Anello, Manager, Waste Planning and Technical Services, Works Department  
C. Bartlett, Manager, Waste Management, Works Department  
J. Demanuele, Director of Business Services, Works Department  
M. Januszkiewicz, Director of Waste Management, Works Department  
S. Kemp, Manager, Traffic Engineering & Operations, Works Department  
J. Paquette, Manager (Works), Corporate Communications  
J. Presta, Acting Commissioner of Works, Works Department  
A. Wakeford, Solicitor, Corporate Services – Legal Services  
R. Inacio, Systems Support Specialist, Corporate Services – IT  
S. Penak, Committee Clerk, Corporate Services – Legislative Services

#### 1. **Declarations of Interest**

There were no declarations of interest.

#### 2. **Adoption of Minutes**

Moved by Councillor Marimpietri, Seconded by Councillor Smith,  
(84) That the minutes of the regular Works Committee meeting held on  
Wednesday, May 8, 2019, be adopted.

CARRIED

### 3. Statutory Public Meetings

There were no statutory public meetings.

### 4. Delegations

#### 4.1 Sarah Delicate, Clarington Resident, re: Lake Ontario Water Levels and the impacts on local residents

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S. Delicate, Clarington Resident, appeared before the Committee with respect to Understanding Lake Ontario Water Levels. She provided a handout titled, "Lake Ontario flooding isn't 'bad luck': Plan 2014 is flawed" to the Committee.

S. Delicate stated that the Lake Ontario outflows were regulated by Plan 1958DD from the 1950's to 2016. She stated that Plan 2014 was introduced in January 2017, which allowed for higher and lower water levels for extended periods of time. She noted that had more water been released in the Fall under the existing plan, the current flooding situation would not have occurred, but Plan 2014 does not allow it, and the water level was left high by design.

S. Delicate outlined numerous downfalls of Plan 2014 as follows:

- It puts the shoreline infrastructure built to Plan 1958DD at risk;
- It will cost millions in coastal damages and emergency response;
- It violates the International Joint Commission (IJC) Study "Principle Guidelines";
- It violates international treaty provisions for protection and indemnity; and
- It transfers the risk and the burden of cost to those that can afford it the least (shoreline citizens), and to those with the fiduciary duty to protect them (Municipalities), without mitigation or compensation.

Moved by Councillor John Neal, Seconded by Councillor Smith,  
(85) That the Rules of Procedure be suspended in order to give S. Delicate an additional 5 minutes to finish her delegation.

CARRIED on a 2/3<sup>rd</sup>s Vote

S. Delicate requested that the Works Committee consider passing a resolution requesting the following:

1. An immediate review and amendment of Plan 2014 to better protect the interests of Municipalities, Emergency Responders and Riparian's;

2. As the first line of flood response, a review and increase to the funding provided to municipalities (flood prevention, preparation, mitigation, response and recovery); and
3. That the provincial and federal governments strike a committee to review mitigation and safety plans for the communities fronting the Great Lakes and St. Lawrence Seaway.

She advised that the Municipality of Clarington and the Town of Ajax have passed similar motions.

S. Delicate responded to questions from the Committee.

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

Whereas Lake Ontario is a valuable regional, national and international resource;

Whereas Federal Governments of the United States and Canada and the International Joint Commission have, in partnership with the States and Provinces, a joint interest in the management of Lake Ontario;

Whereas the management of the lake levels falls within this joint interest;

Whereas the flooding experienced by the residents and business owners of Durham Region has resulted in effecting resident's safety, has caused significant property damage and economic loss;

Whereas Municipalities within Durham Region have expended significant staffing resources and financial resources in flood mitigation and protections;

Whereas the flooding experienced by the Durham Region threatens regional and municipal infrastructure;

And whereas it is conceivable and reasonable to anticipate future flooding as was experienced in the spring of 2017 and is being experienced now in 2019;

Now therefore be it resolved that:

The Canadian Representatives of the International Joint Commission and the Federal Government immediately review and amend Plan 2014 to better protect the interests of Municipalities, Emergency Responders and Riparian's;

And be it resolved that the Provincial Government review and increase the funding provided to municipalities as the first line in flood prevention, preparation, mitigation, response and recovery commensurate to the anticipated increased flooding, erosion and damages;

And be it resolved that the Provincial and Federal Governments be requested to strike a committee to review mitigation and safety plans for the communities fronting the Great Lakes and St. Lawrence Seaway; and that Durham Region be invited to participate on the committee;

And that this resolution be circulated to Prime Minister Justin Trudeau, Premier Doug Ford, MP Chrystia Freeland (Foreign Affairs), MPP Sylvia Jones (Solicitor General), MPP Steven Clark (Municipal Affairs and Housing), Canadian Representatives of the International Joint Commission (IJC), Association of Municipalities of Ontario (AMO), Great Lakes and St. Lawrence Cities Initiative, and all Ontario municipalities.

CARRIED AS AMENDED LATER IN THE  
MEETING  
(See Following Motion)

Moved by Councillor McLean, Seconded by Councillor Marimpietri,  
(87) That the foregoing motion (86) of Councillor Barton and Councillor Marimpietri be amended to include a new paragraph after the first paragraph as follows:

That Global warming and climate change is a major concern, and that it be recognized by all levels of government as a contributor to flooding issues.

CARRIED

The main motion (86) of Councillor Barton and Councillor Marimpietri was then put to a vote and CARRIED AS AMENDED.

4.2 Linda Gasser, re: Energy From Waste – Waste Management Advisory Committee Resolution regarding Deferral of Recommendation C) of Report #2019-COW-3 [Item 8.1 A)]

L. Gasser, Durham Resident, appeared before the Committee with respect to the EFW-WMAC resolution that was made at the May 28, 2019 EFW-WMAC meeting.

L. Gasser noted that the EFW-WMAC resolution pertains to the Unfinished Business item on the Council agenda regarding Recommendation C) of Report #2019-COW-3: 2019 Solid Waste Management Servicing and Financing Study.

L. Gasser referenced Page 2, Section 2.2 A) of Report #2019-WR-5 that states: "Demonstrate the reliability of mixed waste processing to consistently recover digester and composting ready organics, valuable metals and rigid plastics for recycling". She stated that Report #2019-WR-5 does not describe whether or not this objective was met or achieved.

L. Gasser also noted that staff have indicated that the impacts on the Durham York Energy Centre are scheduled to come back to Council in September 2019 but questioned why this information could not be provided sooner.

L. Gasser stated that at the EFW-WMAC meeting held on May 28, 2019, staff advised that consultations on the Long-Term Waste Management Plan may occur over the summer. She expressed concern that it would be both unwise and unfair to proceed with the incinerator expansion recommendation prior to the two Waste Committees and the general public providing preliminary input.

L. Gasser requested that the Works Committee adopt the advice of the EFW-WMAC and advise Council of the same.

L. Gasser responded to questions from the Committee.

4.3 Wendy Bracken, re: Energy From Waste – Waste Management Advisory Committee Resolution regarding Deferral of Recommendation C) of Report #2019-COW-3 [Item 8.1 A)]

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W. Bracken, Clarington Resident, appeared before the Committee with respect to the EFW-WMAC resolution that was made at the May 28, 2019 EFW-WMAC meeting.

W. Bracken requested that Works Committee defer the decision to commence an Environmental Assessment (EA) to expand the incinerator until:

- There has been public consultation on the Long-Term Waste Management Strategy for 2021-2040;
- The EFW-WMAC has had a presentation on Report #2019-COW-3: Solid Waste Management Servicing and Finance Study; and
- A report on how the Organics Management project will impact the incinerator has been considered.

W. Bracken highlighted Section 2.1: Community Consultation and Communications of the Host Community Agreement that states, “Durham shall support the development and operation of an EFW Site Liaison Committee for the purpose of facilitating input from the community and the distribution of relevant information in regards to the construction, operation and monitoring of the EFW facility”. She also highlighted the mandate of the EFW-WMAC.

Moved by Councillor John Neal, Seconded by Councillor Smith,  
(88) That the Rules of Procedure be suspended in order to give W. Bracken an additional 3 minutes to finish her delegation.

CARRIED on a 2/3<sup>rd</sup>s Vote

W. Bracken stated that in order to fulfill their advisory role, the EFW-WMAC Committee and the public must:



- Be provided with relevant information and apprised of major waste management/incinerator developments in a timely manner and with time to consider in advance of limiting decisions;
- Be consulted on the recommendation to expand the incinerator before it went to Council; and
- Though on the agenda of the April 23, 2019 EFW-WMAC, new EFW-WMAC members were not given a presentation of Report #2019-COW-3 containing the DYEC expansion recommendation.

W. Bracken responded to questions from the Committee.

## **5. Presentations**

### **5.1 Brian Barber, Executive Director of the Ontario Public Works Association, re: Presentation of the Ontario Public Works Association (OPWA) 2018 National Public Works Week (NPWW) Bruce Brunton Award**

Chair Mitchell announced that the Works Department was the recipient of the 2018 Bruce Brunton Award for National Public Works Week and extended congratulations to staff.

B. Barber, Executive Director of the Ontario Public Works Association (OPWA) presented the award to the National Public Works Week Planning Committee Team. He noted that municipalities are encouraged to submit what they've accomplished during National Public Works Week to the OPWA where it is then evaluated against other municipalities.

### **5.2 David Nagy, Manager, Facilities Design, Construction and Asset Management, and Andrew MacIntosh, Project Manager, Facilities, re: Optimization and Modernization of Regional Workspace**

D. Nagy, Manager, Facilities Design, Construction and Asset Management, and A. MacIntosh, Project Manager, Facilities, presented a PowerPoint presentation regarding Optimization and Modernization of Regional Workspace.

Highlights of the presentation included:

- Why Optimize and Modernize Workspace at Regional Headquarters?
- Existing Workspace Standards and Principles
- What Have We Learned From Our Analysis?
- Workspace Optimization and Modernization Pilots
- Social Services Department, Relocation to 200 John Street, Oshawa
- Works Department, Financial Services and Corporate Real Estate
- Outcomes From The Workspace Optimization and Modernization
- New Workspace Standards and Principles
- Updated Workspace Design Principles

- “Me” Space to “We” Space Workspace Concept
- Optimization and Modernization of Regional Headquarters
- Questions

D. Nagy advised that space pressures were identified at Regional Headquarters shortly after occupancy in 2005. He noted that three expansion scenarios were proposed with cost estimates ranging from \$95 million to \$98.8 million (2011 dollars).

D. Nagy advised that based on the analysis, expansion of Regional Headquarters can be deferred for several years through optimization and modernization of existing workspace.

D. Nagy and A. MacIntosh advised that the two programs that piloted the modern workspace standards and office layouts was the Social Services Department, Relocation to 200 John Street, in the City of Oshawa, and the Works Department, Financial Services and Corporate Real Estate in Regional Headquarters. They advised that based on information obtained from the pilots, a preliminary assessment was prepared by staff for the 5<sup>th</sup> floor of headquarters, and it showed a 30% increase in capacity.

A. MacIntosh advised that the new workspace standards and principles include:

- Enclosed offices and meeting rooms to be located in the building core;
- Offices provided to manager level and above with demountable glass walls for light penetration and future reconfiguration;
- Workspace configuration based on the work needs of the occupant;
- Enhancement of ergonomic principles into the workstations;
- Lower workstation wall panels to allow for greater light infiltration to the core of each floor; and
- Standardizing typical workstation sizes to maximize flexibility.

D. Nagy and A. MacIntosh responded to questions from the Committee regarding construction costs and the recent re-use of Council Chambers instead of Room LLC for Standing Committee meetings (frees up space); re-positioning of files against the interior walls; potential impacts of the Regional Government review on this project; and whether sound was affected when the walls of the cubicles were lowered.

Moved by Councillor Barton, Seconded by Councillor Smith,  
(89) That the Committee recess for 10 minutes.

CARRIED

The Committee recessed at 11:10 AM and resumed the meeting at 11:21 AM.

Moved by Councillor John Neal, Seconded by Councillor Barton,  
(90) That the agenda be altered to consider Item 8.1, Advisory Committee Resolutions, A) Energy From Waste – Waste Management Advisory Committee next.

CARRIED

**8. Advisory Committee Resolutions**

8.1 Energy From Waste – Waste Management Advisory Committee (EFW-WMAC)

A) Deferral of Recommendation C) of Report #2019-COW-3

J. Presta provided a summary of the recommendations that have been approved by Regional Council, and the EFW-WMAC motion from May 28, 2019, that was forwarded to the Works Committee. A copy of the briefing note was provided as a handout.

Staff responded to questions from the Committee regarding the legalities of the host community agreement between the EFW-WMAC and the Municipality of Clarington; importance of soliciting advice from the Region's Waste Committees before public consultations; and the reporting process for a resolution that comes from an Advisory Committee.

Moved by Councillor Smith, Seconded by Councillor McLean,  
(91) That Item 8) Advisory Committee Resolutions, 8.1 A) Deferral of Recommendation C) of Report #2019-COW-3 of the EFW-WMAC, be received for information.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

Councillor Barton  
Councillor Crawford  
Regional Chair Henry  
Councillor McLean  
Councillor Smith  
Chair Mitchell

No

Councillor John Neal

Absent: Councillor Marimpietri

Conflict: None

5.3 Craig Bartlett, Manager, Waste Operations, Introducing a Video re: Blue Box Litter Pilots (2019-WR-8) [Item 6.2 B]

C. Bartlett, Manager, Waste Operations, played some videos regarding the effectiveness of the Blue Box Litter Pilot Programs.

C. Bartlett responded to questions from the Committee regarding the results of the surveys and if the pilots have reduced litter; the possible decision to move to Extended Producer Responsibility (EPR), eliminating the need for Durham to produce a Blue Box lid; the possibility of finding a sponsor who would cover the full costs of the lids; making the lid universal to all blue boxes; and the possibility of replacing broken blue boxes throughout the Region.

It was the consensus of the Committee to alter the agenda to consider Item 6.2 B) Blue Box Litter Pilots (2019-WR-8), next.

## **6. Waste**

### **6.2 Reports**

#### **B) Blue Box Litter Pilots (2019-WR-8)**

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Report #2019-WR-8 from S. Siopis, Commissioner of Works, was received.

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

A) That staff report back prior to the 2020 budget process on the following:

- i) Confirmation that staff have completed whatever work is necessary to secure a patent for the Blue Box lid with our partner Emterra (as identified in Report #2019-WR-8 of the Commissioner of Works);
- ii) That staff commence work to secure a sponsor for advertising on the lid that would reduce or eliminate the costs of providing the lids to all residents and provide the results of this;
- iii) That staff investigate and report back on the possibility of amending the waste management By-law to make it mandatory for all residents to set out blue boxes at the curb with a lid to prevent litter and investigate enforcement and fines for not complying;
- iv) That, regardless of transition of the Blue Box to full Extended Producer Responsibility (EPR), all Blue boxes will still be required to have lids and enforcement will continue; and
- v) That staff provide an update on the approximate percentage of non-compliant blue box containers in the Region and an estimated cost to provide a new large blue box to every resident along with two blue box

lids and any other information Council may need to make a proper decision on this important initiative.

CARRIED

**6. Waste**

6.1 Correspondence

There were no communications to consider.

6.2 Reports

A) Sole Source Purchase for Replacement Equipment at the Regional Municipality of Durham's Material Recovery Facility (2019-WR-7)

Report #2019-WR-7 from S. Siopis, Commissioner of Works, was received.

Staff responded to questions regarding whether Machinex was a Durham Region Company and their locations.

Moved by Councillor McLean, Seconded by Councillor Marimpietri, (93) That we recommend to Council:

That the purchase of replacement equipment required for the Region's Material Recovery Facility be sole sourced from the original equipment provider, Machinex Recycling Services, at a total cost not to exceed \$600,000\* to be funded from the approved 2019 Solid Waste Management Major Capital Budget.

(\* ) before applicable taxes in all instances

CARRIED

B) Blue Box Litter Pilots (2019-WR-8)

This item was considered earlier in the meeting. See page 9 of these minutes.

**7. Works**

7.1 Correspondence

There were no communications to consider.

7.2 Reports

A) Supplementary Report to Works Committee Report #2019-W-24 Cemetery Connections to the Regional Water Supply System (2019-W-42)

Report #2019-W-42 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,

(94) That we recommend to Council:

- A) That the requirements of the Regional Municipality of Durham's Water Supply System By-Law Number 89-2003 (as amended) not be waived, resulting in frontage charges being paid prior to connecting to the Regional Municipality of Durham's Water Supply System;
- B) That the Pine Grove Cemetery be required to pay frontage charges, be responsible for the actual cost of constructing the connection to the Region's Water Supply System and all works on private property; and
- C) That a copy of Report #2019-W-42 of the Commissioner of Works, be provided to Mr. Alex Williamson, President, Pine Grove Cemetery Board.

CARRIED

B) Issuance of an Encroachment Agreement (2019-W-43)

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Report #2019-W-43 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,

(95) That we recommend to Council:

- A) That the Encroachment Agreement negotiated between the owners of the property located at the municipal address of 27 Hillcourt Avenue in the Town of Whitby and the Regional Municipality of Durham permitting the encroachment of a fence onto the Brock Street Road Allowance at that municipal address for a nominal sum be approved; and
- B) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.

CARRIED

C) Approval to Execute a Licence Agreement for a Mountain Bike Trail within the Right-Of- Way on Lake Ridge Road (Regional Road 23) in the Township of Uxbridge (2019-W-45)

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Report #2019-W-45 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,

(96) That we recommend to Council:

- A) That the Regional Municipality of Durham be authorized to enter into a License Agreement with Durham Mountain Biking Association for a mountain bike trail located within the Lake Ridge Road (Regional Road 23) road allowance, with costs and liability for trail, construction, use and maintenance to be the sole responsibility of the Durham Mountain Bike Association; and

- B) That the Regional Chair and Clerk be authorized to execute the Licence Agreement.

CARRIED

- D) Renewal of Lease for Premises with 2446225 Ontario Limited at 169 North Street, Unit #3 in the Township of Scugog for the Regional Municipality of Durham Social Services Department (2019-W-46)

Report #2019-W-46 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,  
(97) That we recommend to Council:

- A) That the renewal of lease for 46.45 square metres (500 square feet) of office space, being part of the building located at 169 North Street, Unit #3, in the Township of Scugog be approved with the following terms and conditions:
- i) The term is for a period of two years commencing August 1, 2019, ending July 31, 2021, with an option to extend for an additional two years subject to the rental rate being negotiated;
  - ii) The annual rental rate for the two-year period of the lease is \$15,160\* based on a rate of \$326.37\* per square metre (\$30.32 per square foot);
  - iii) The Landlord is responsible for all operating costs for the building, common areas and the leased premises;
  - iv) The Region is responsible for a proportionate share of any applicable property taxes; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the lease agreement.  
(\* before applicable taxes in all instances

CARRIED

- E) Report on Tenders and Additional Financing for The Regional Municipality of Durham Contract T-1017-2018 for the New Vehicle Wash Bay Addition at the Works Department Scugog Depot, in the Township of Scugog (2019-W-47)

Report #2019-W-47 from S. Siopis, Commissioner of Works, was received.

A revised page 4 of Report #2019-W-27 was provided as a handout.

Staff responded to questions regarding alternative options for washing Durham Region trucks.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,  
(98) That we recommend to Council:

- A) That the low compliant bid of ONIT Construction Inc., in the amount of \$780,000\*, be awarded for Regional Municipality of Durham Contract T-1017-2018 resulting in a total estimated project cost of \$1,064,000;
- B) That the previously approved project budget of \$882,000 be increased by \$182,000 to a revised total project budget of \$1,064,000;
- C) That the funding for the additional project commitments in the amount of \$182,000 be provided as follows:

i) Depot Operations 2019 Operating Budget provision for  
Extraordinary Maintenance and Miscellaneous Savings:

Property Tax	\$60,666
Water Supply – User Revenue	\$60,667
Sanitary Sewerage – User Revenue	<u>\$60,667</u>
	<u>\$182,000</u>

Total Reallocated Financing \$182,000

- D) That the Regional Chair and Clerk be authorized to execute Regional Municipality of Durham Contract T-1017-2018.  
(\* before applicable taxes

CARRIED

F) Approval of Request for a Release of Easements (2019-W-48)

Report #2019-W-48 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,  
(99) That we recommend to Council:

- A) That the easement in favour of the Regional Municipality of Durham on the property identified as Part of Block 416, Plan 40M-2139, in the Town of Whitby Subject to Easement in Gross over Part 1 on 40R-23738 be released from title;
- B) That the easement in favour of the Regional Municipality of Durham on the property identified as Part of Lot 209, All of Block 414, Registered Plan 40M-2139, Town of Whitby and Part of Lot 31, Concession 3, (Geographic Township of Whitby) now in the Town of Whitby be released from title;
- C) That the Legal Department be authorized to register a Release of Easement on title to the subject properties; and



- D) That the Regional Chair and Clerk be authorized to execute any documents that may be required by them associated with the release of easements legally described in Recommendations A and B.

CARRIED

- G) Extension of Lease for Premises with Chidley Glen Developments Limited at 3000 Garden Street, Suite 200, in the Town of Whitby for the Regional Municipality of Durham Economic Development Division, Business Advisory Centre Durham (2019-W-49)

Report #2019-W-49 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,  
(100) That we recommend to Council:

- A) That an Extension of Lease for 185.25 square metres (1,994 square feet) of office space, being part of the building located at 3000 Garden Street, Suite 200, in the Town of Whitby, be approved on the following terms and conditions:
- i) The term of the lease extension is for a period of five years commencing September 1, 2019, and ending August 31, 2024;
  - ii) The annual rental rate for the five year period of the lease will be \$31,904\* based on a rate of \$172.22\* per square metre (\$16.00\* per square foot);
  - iii) The Regional Municipality of Durham continues to be responsible for all operating costs for the leased space; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the extension of lease agreement.  
(\* before applicable taxes in all instances

CARRIED

- H) Award of Request for Proposal #1105-2018 for Professional Services to Produce an Overall Masterplan and Provide Full Architectural and Engineering Services for the New Region of Durham Paramedic Services Station, in the City of Pickering (2019-W-50)

Report #2019-W-50 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,  
(101) That we recommend to Council:

- A) That Request for Proposal #1105-2018 be awarded to AECOM Canada Ltd. to provide professional services to produce an overall masterplan and

provide full architectural and engineering services for the new Region of Durham Paramedic Services station, in the City of Pickering, at a total upset limit not to exceed \$661,195\* to be funded from the approved project budget of \$4,500,000; and

- B) That the Commissioner of Finance be authorized to execute the professional services agreement.

(\* ) includes disbursements and are before applicable taxes

CARRIED

I) Amendments to Regional Traffic and Parking By-Law #44-2006 (2019-W-51)

Report #2019-W-51 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,  
(102) That we recommend to Council:

- A) That Corporate Services – Legal Services be directed to prepare an amending by-law to amend By-Law #44-2006, generally in the form included as Attachment #1 to Report #2019-W-51 of the Commissioner of Works, for presentation to Regional Council for passage; and

- B) That staff be authorized to take all steps required and necessary to give effect to the amendments contemplated to By-Law #44-2006 as indicated in the form included as Attachment #1 to Report #2019-W-51.

CARRIED

J) Award of Request for Proposal #1099-2018 for Commissioning Services for Phase 2 of the Clarington Police Complex, in the Municipality of Clarington (2019-W-52)

Report #2019-W-52 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri,  
(103) That we recommend to Council:

- A) That Request for Proposal #1099-2018 be awarded to Jones Lang LaSalle Real Estate Services Inc. to provide commissioning services for Phase 2 of the new Clarington Police Complex, at a total upset limit not to exceed \$98,800\* to be funded from the approved project budget; and

- B) That the Commissioner of Finance be authorized to execute the consulting services agreement.

(\* ) includes disbursements and are before applicable taxes

CARRIED

**8. Advisory Committee Resolutions**

8.1 Energy From Waste – Waste Management Advisory Committee

B) Deferral of Recommendation C) of Report #2019-COW-3

---

This item was considered earlier in the meeting. See Page 8 of these minutes.

**9. Confidential Matters**

9.1 Reports

A) Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporate Purposes as it Relates to the Purchase of Lands Required for the Bus Rapid Transit Project, in the City of Pickering (2019-W-44)

---

Confidential Report #2019-W-44 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Marimpietri, (104) That we recommend to Council:

That the recommendations contained in Confidential Report #2019-W-44 of the Commissioner of Works be adopted.

CARRIED

**10. Other Business**

10.1 Energy From Waste – Waste Management Advisory Committee (EFW-WMAC) and Energy from Waste Advisory Committee (EFWAC)'s Terms of Reference and Mandate

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Moved by Councillor John Neal, Seconded by Councillor Smith, (105) That staff be directed to review the terms of reference and mandates of both the EFW-WMAC and the EFWAC.

CARRIED

**11. Date of Next Meeting**

The next regularly scheduled Works Committee meeting will be held on Wednesday, September 4, 2019 at 9:30 AM in the Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

**12. Adjournment**

Moved by Councillor Marimpietri, Seconded by Councillor Crawford,  
(106) That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:54 AM

Respectfully submitted,

---

D. Mitchell, Chair

---

S. Penak, Committee Clerk

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: [#2019-WR-9](#)  
Date: September 4, 2019

---

**Subject:**

Announcement by the Minister of Environment, Conservation and Parks Regarding the Transition of the Blue Box to Extended Producer Responsibility

---

**Recommendation:**

The Works Committee recommends that this report be received for information and forwarded to Regional Council for information.

---

**Report:**

**1. Purpose**

1.1 The purpose of this report is to provide a summary of the August 15, 2019 announcement by the Minister of Environment, Conservation and Parks regarding the transition of the municipal Blue Box Program to extended producer responsibility.

**2. Background**

2.1 On June 7, 2019 The Minister of Environment, Conservation and Parks (Minister) issued a mandate letter to David Lindsay to act as a Special Advisor on Recycling and Plastic Waste. In his role as Special Advisor, Mr. Lindsay was tasked with mediating discussions between municipalities, producers and other stakeholders to reach agreement on key issues and advising the Minister on how key issues can best be addressed.

2.2 Mr. Lindsay provided his recommendations on the blue box transition to the Minister on July 20, 2019. The recommendation report "Renewing the Blue Box: [Final Report on the Blue Box Mediation Process](https://www.ontario.ca/page/renewing-blue-box-final-report-blue-box-mediation-process)" was subsequently made public on August 6, 2019 and is available online (<https://www.ontario.ca/page/renewing-blue-box-final-report-blue-box-mediation-process>).

### **3. Blue Box Transition Announcement**

3.1 On August 15, 2019 the Minister along with the Minister of Municipal Affairs and Housing announced the next steps to transition the delivery of the Blue Box Program away from municipalities to producers of printed paper and packaging, making them fully responsible for the collection, processing and recycling of the materials placed in the market and all associated costs.

3.2 The Minister provided direction to Stewardship Ontario (SO) outlining the next steps for transition and timelines to transition the program to full producer responsibility starting in 2023. Transition will occur over three years with all municipal programs transitioned to full producer responsibility by December 31, 2025.

3.3 In late 2019 and 2020, the province will develop and consult on regulations that will outline the requirements for the new producer responsibility framework with the goal of providing Ontarians the same or improved access to blue box services.

3.4 SO will continue to fund up to 50 percent of municipal blue box costs until each municipal program is fully transitioned to producer responsibility.

### **4. Impacts to the Regional Municipality of Durham (Region)**

4.1 Regional staff has been preparing for the transition of the blue box program since 2016. As such, early contract termination clauses are included in all blue box related contracts to allow those activities to be part of the transition to the producers.

4.2 Based on the transition timeline below, the Region has started to plan the transition for the responsibility of blue box services to producers.

<b>Transition Action</b>	<b>Recommended Timeline</b>
Direction Letter issued to Stewardship Ontario	August 15, 2019
Stage 1 – Regulation Development	2019 – 2020 (1 to 1.5 years)
Stage 2 – Transition Preparation	2021 – 2022 (2 years)
Stage 3 – Transition Implementation	2023 – 2025 (3 years)

## 5. Conclusion

- 5.1 The transition of the blue box to extended producer responsibility is planned to commence in January 2023 and be completed by December 31, 2025.
- 5.2 The Regional Municipality of Durham is well positioned to transition blue box operations to producers at the earliest possible date.
- 5.3 Waste Management staff will continue to participate in discussions regarding the blue box transition and draft regulations to ensure the Regional Municipality of Durham's interests are represented.
- 5.4 For additional information, please contact Craig Bartlett, Manager of Waste Operations, at 905-668-7711, extension 3561.

Respectfully submitted,

**Original signed by John Presta for**

Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

Elaine C. Baxter-Trahair  
Chief Administrative Officer

**Ministry of Transportation**

Regional Director's Office  
Central Region  
159 Sir William Hearst Avenue  
2<sup>nd</sup> Floor  
Toronto ON M3M 0B7  
Tel: 416 235-5400  
Fax: 416 235-5266

**Ministère des Transports**

Bureau du directeur régional  
Région du Centre  
159, avenue Sir William Hearst  
2<sup>e</sup> étage  
Toronto ON M3M 0B7  
Tél.: 416 235-5400  
Télééc. : 416 235-5266



August 21, 2019

Ramesh Jagannathan  
Director of Transportation and Field Services  
Durham Region  
605 Rossland Road East  
Whitby, ON  
L1N 6A3

Dear Mr. Jagannathan:

Further to my letter of June 13, 2019 regarding the proposed improvements at the Highway 401/Harmony Road/Bloor Street interchange, I am happy to advise you that the reconstruction of the interchange has been recently added to MTO's capital program. We anticipate that construction could start as early as 2023.

MTO looks forward to working with Durham during the detail design process to capture all technical requirements as well as to discuss cost sharing opportunities for the municipal component of the work. As part of detail design consultation, MTO will be in touch with Durham Region staff.

The new interchange configuration will be based on the approved EA design which includes a direct N-W Ramp. Given that a new N-W ramp will provide improvements to the access to Highway 401 westbound from Harmony Road, it may no longer be beneficial for Durham to pursue the interim solution. MTO is available to discuss the drawbacks and benefits of this approach.

Thank you for your continued interest in our provincial highway network.

Sincerely,

A handwritten signature in black ink, appearing to read "Calvin Curtis", written over a horizontal line.

Calvin Curtis  
(A) Regional Director



If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-53](#)  
Date: September 4, 2019

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**Subject:**

Lease with Durham College for Space Located at 2000 Simcoe Street North, in the City of Oshawa, for Durham Regional Police Services

---

**Recommendations:**

That the Works Committee receives this report for information and forwards it to Regional Council for information.

---

**Report:**

**1. Purpose**

1.1 This report provides an update to the lease agreement with Durham College and the Regional Municipality of Durham (Region) for spaced leased to house Durham Regional Police Service's (DRPS) Police Learning and Innovation Centre at 2000 Simcoe Street, in the City of Oshawa (Oshawa). Durham College has requested that this lease be terminated two years earlier than the current five-year term. Dollar values followed by an asterisk (\*) are before applicable taxes.

**2. Background**

2.1 DRPS has occupied space located at 2000 Simcoe Street, in the City of Oshawa, since August 1, 1993. The leased space for DRPS occupies approximately 1,208.11 square metres (13,004 square feet) for the Police Learning and Innovation Centre office space, classrooms and a mat room that is shared with Durham College.

2.2 In April 2017 an Amendment and Extension of Lease agreement was executed between Durham College and the Region. The extension of the lease resulted in a

new term of five years, commencing January 21, 2017 and ending on January 20, 2022. The Amendment and Extension of Lease agreement provided for an extension to the term of an additional two years upon mutual agreement of both parties with six months' written notice. The current annual lease cost for the premises is \$316,777\* which includes all operating costs for the premises and common areas, including janitorial, utilities and taxes. The lease rate escalates to \$321,529\* in the fifth year of the term commencing January 21, 2021.

- 2.3 As stipulated in the Amendment and Extension of Lease agreement, the Region has the option to terminate the lease at any time during the second two-year term with six months' notice in writing. Neither the original Lease Agreement or any subsequent Amendment and Extension of Lease agreement contained provisions for either party to terminate the lease prior to the end of a term.

### **3. Durham College Request to Terminate Lease**

- 3.1 In June 2018, representatives from Durham College and DRPS met to discuss the College's desire to terminate the current lease. Durham College wishes to utilize the leased space to deliver its own programming and is experiencing space pressures limiting this opportunity.
- 3.2 On December 12, 2018, Durham College submitted a letter to DRPS confirming their request to terminate the current lease. The letter requested that DRPS vacate the leased premises at 2000 Simcoe Street no later than December 31, 2019.
- 3.3 On July 24, 2019, the Region wrote to Durham College acknowledging receipt of their request, responding that the Region would make efforts to relocate the Police Education and Innovation Centre by the end of the current lease term of January 2022.

### **4. Search for Alternative Space and Estimated Relocation Costs**

- 4.1 Upon receipt of the letter from Durham College in December 2018, DRPS engaged staff from the Works Department's Real Estate and Facilities Design, Construction and Asset Management (DCAM) sections to determine what space was available in the market to accommodate the Police Learning and Innovation Centre. DRPS provided site selection criteria, requesting Real Estate staff to search for up to 2,323 square metres (25,000 square feet) of space. The increased spatial requirement over the current leased area at Durham College accounts for the common area space used at the campus including washroom/changeroom facilities and

appropriate circulation space that is not included in the leased space but available for use by DRPS.

- 4.2 A search of available space was conducted within the locational boundaries stipulated by DRPS, which was developed to maintain some equivalency to the existing travel distance/time to the current location at 2000 Simcoe Street. The boundaries limited the offerings and resulted in an expansion of the boundaries to encompass the Oshawa/Whitby area, maintaining some centralization.
- 4.3 Staff inquired about both commercial and industrial space. Retail landlords contacted were not willing to lease space to the Region for this purpose as their focus is to attract commerce to their plazas with anchor tenants occupying the larger units. The search for industrial space, which offers a lower per square foot rental rate, was also limited due to the size of space required.
- 4.4 One suitable location was found which resulted in initial discussions for industrial space of approximately 2,230 square metres (24,000 square feet) located at 1555 Wentworth Street in Whitby. The lease cost for the space was approximately \$74.80\* per square metre (\$6.95\* per square foot) or \$166,800\* per annum. DRPS estimated the cost to relocate the training centre to this unit at \$8.252 million, broken down as follows:
- |                        |                           |
|------------------------|---------------------------|
| Leasehold Improvements | \$5,545,000               |
| FFE                    | 674,000                   |
| Telecom                | 44,000                    |
| IT Hardware            | 80,000                    |
| Engineering            | 832,000                   |
| Subtotal               | 7,175,000                 |
| Contingency            | <u>1,072,000</u>          |
| <b>Total</b>           | <b><u>\$8,252,000</u></b> |
- 4.5 The landlord opted to accept an offer to lease for the entire facility, and this site is no longer available. The search area has been broadened to look across the Region, including discussions with the school boards regarding utilization of vacated school properties to house this program. Other interim solutions may be explored by DRPS based on the how quickly suitable space can be secured.
- 4.6 The long-term capital forecast for DRPS currently reflects the design for Phase 2 of the Operations Training Centre located at 4040 Anderson Street in Whitby in 2028. At a total estimated cost of \$31 million, Phase 2 was envisioned to consolidate all DRPS training requirements at one central location. The Operations Training Centre currently houses the DRPS firing range, classrooms and the Region's 911 operations. Accelerating this project to address a relocation by 2022 is not practical

given that design work is required along with tendering and construction. Although the Region has indicated in its response to the College that we may approach them to discuss an extension after the five-year term, that extension must be mutually agreed to, and it is unlikely the College will agree to any further extension given their need for the space to accommodate their programming.

- 4.7 To address Durham College's request to vacate the premises, DRPS has included a provision of \$8.3 million in their preliminary budget forecast to finance the costs to prepare interim space.

## **5. Conclusion**

- 5.1 Durham College had requested that the lease with the Regional Municipality of Durham for the Durham Regional Police Service's Police Education and Innovation Centre be terminated and the program space vacated by December 2019. The Region has responded that this timeframe cannot be accommodated, but that the search for space to relocate this programming has commenced.
- 5.2 Regional staff will continue to seek out suitable space to relocate this programming, with necessary funding to be requested through the Budgets and Business Planning process as required.
- 5.3 For additional information, please contact Jenni Demanuele, Director, Business Services, at 905-668-4113, extension 3456.

Respectfully submitted,

### **Original signed by John Presta for**

---

Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

### **Original signed by**

---

Elaine C. Baxter-Trahair  
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

---

To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-54](#)  
Date: September 4, 2019

---

**Subject:**

Petition for Construction of a Watermain on Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax

---

**Recommendation:**

That the Works Committee recommends to Regional Council that the construction of a watermain on Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax, be considered in the 2020 Water Supply System Capital Budget.

---

**Report:**

**1. Purpose**

1.1 The purpose of this report is to advise Regional Council of the results of the watermain petition to service Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax.

**2. Background**

2.1 On February 27, 2019, Regional Council directed staff to initiate a petition process for water supply servicing for the forty-four (44) properties abutting Range Road, Lakeridge Road and Ontoro Boulevard (Attachment #1).

2.2 On June 26, 2019, Regional Council considered the financial aspects of the project and amended Schedule E of By-law #89-2003 to reflect the addition of the following payment terms for extension of municipal water supply services resulting from successful petitions for properties located within the Greenbelt:

- a) The annual interest rate for the payment of frontage charges for the extension of municipal water supply services to properties in the Greenbelt be established at the prime rate of the Region's financial institution plus 1.5 per cent (to a maximum of 6 per cent), with the prime rate based on the date the final letter outlining fees owing is issued; and
  - b) The payment term for the frontage charges for the extension of services to properties in the Greenbelt be 10 years or 15 years at the option of the property owner.
- 2.3 On June 26, 2019, Regional Council confirmed that the project will be based on full cost recovery.
  - 2.4 On June 27, 2019, the Region sent out a petition to the residents along Range Road, Lakeridge Road and Ontoro Boulevard regarding the construction of a watermain to service this area.
  - 2.5 The governing legislation, Ontario Regulation 586/06 requires that 2/3 (67 per cent) of the property owners representing 50 per cent of the value of the lands, be in favour of the project for the petition to be successful.

### **3. Results**

- 3.1 Forty-four (44) individual property owners were sent letters with a request to respond if each is "in favour" or "not in favour" of the construction of the watermain.
- 3.2 The results of the petition were that 80 per cent of the property owners (35 out of 44) were in favour of the water supply service.
- 3.3 The Regional Clerk has certified that the property owners are in favour of the petition.

### **4. Conclusion**

- 4.1 The petition for the construction of a watermain on Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax, has met the minimum requirements in order to proceed as set out in Ontario Regulation 586/06.
- 4.2 The construction of a watermain on Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax should be considered in the proposed 2020 Water Supply System Capital Budget.

4.3 This report has been reviewed by Corporate Services – Legal Services.

4.4 For additional information, please contact John Presta, Director, Environmental Services, at 905-668-7711, extension 3520.

**5. Attachments**

Attachment #1: Location Plan – Range Road, Lakeridge Road and Ontoro Boulevard Limits of Petition, Town of Ajax

Respectfully submitted,

**Original signed by John Presta for**

---

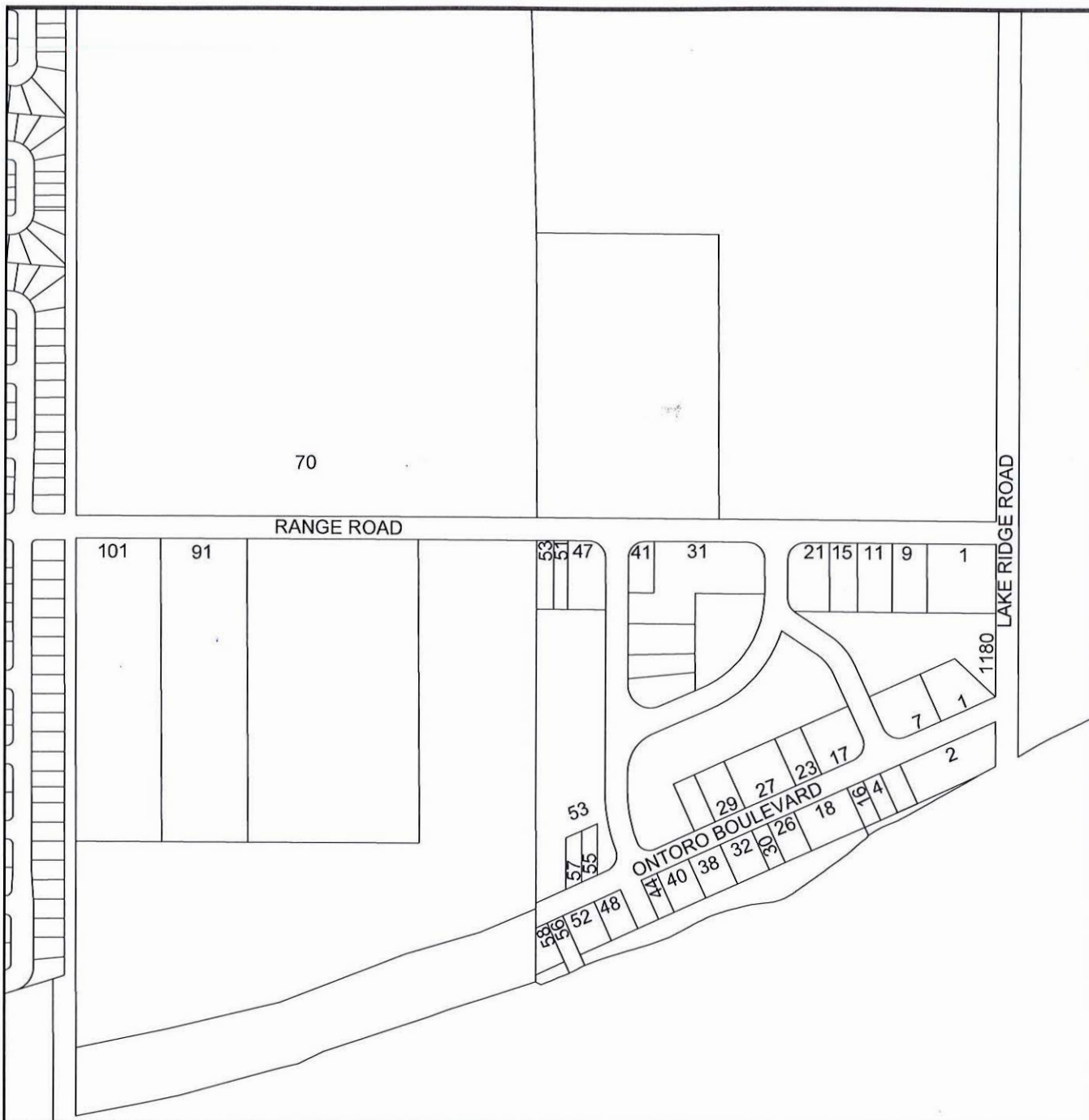
Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

---

Elaine C. Baxter-Trahair  
Chief Administrative Officer



Attachment #1: Range Road and Ontoro Boulevard



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# The Regional Municipality of Durham Report

---

To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-55](#)  
Date: September 4, 2019

---

**Subject:**

Petition for Construction of a Watermain on Fielding Court, in the Town of Ajax

---

**Recommendation:**

That the Works Committee recommends to Regional Council that the construction of a watermain on Fielding Court, in the Town of Ajax, be considered in the proposed 2020 Water Supply System Capital Budget.

---

**Report:**

**1. Purpose**

1.1 The purpose of this report is to advise Regional Council of the results of the watermain petition to service Fielding Court, in the Town of Ajax.

**2. Background**

2.1 On May 29, 2019, Regional Council directed staff to initiate a petition process for water supply servicing for the fifteen (15) properties abutting Fielding Court (see Attachment #1).

2.2 On June 26, 2019, Regional Council considered the financial aspects of the project and amended Schedule E of By-law #89-2003 to reflect the addition of the following payment terms for extension of municipal water supply services resulting from successful petitions for properties located within the Greenbelt:

- a) The annual interest rate for the payment of frontage charges for the extension of municipal water supply services to properties in the Greenbelt be established at the prime rate of the Region's financial institution plus 1.5 per cent (to a maximum of 6 per cent), with the prime rate based on the date the final letter outlining fees owing is issued; and
  - b) The payment term for the frontage charges for the extension of services to properties in the Greenbelt be 10 years or 15 years at the option of the property owner.
- 2.3 On June 26, 2019 Regional Council confirmed that the project will be based on full cost recovery.
  - 2.4 On June 27, 2019, the Region sent out a petition to the residents along Fielding Court.
  - 2.5 The governing legislation, Ontario Regulation 586/06 requires that 2/3 (67 per cent) of the property owners representing 50 per cent of the value of the lands, be in favour of the project for the petition to be successful.

### **3. Results**

- 3.1 Fifteen (15) individual property owners were sent letters with a request to respond if each is "in favour" or "not in favour" of the construction of the watermain.
- 3.2 The results of the petition were that 73 per cent of the property owners (11 out of 15) were in favour of the water supply service.
- 3.3 The Regional Clerk has certified that the property owners are in favour of the petition.

### **4. Conclusion**

- 4.1 The petition for the construction of a watermain on Fielding Court, in the Town of Ajax, has met the minimum requirements in order to proceed as set out in Ontario Regulation 586/06.
- 4.2 The construction of a watermain on Fielding Court, in the Town of Ajax, be considered in the proposed 2020 Water Supply System Capital Budget.
- 4.3 This report has been reviewed by Corporate Services – Legal Services.

4.4 For additional information, please contact John Presta, Director, Environmental Services, at 905-668-7711, extension 3520.

**5. Attachments**

Attachment #1: Location Plan – Fielding Court Limits of Petition, Town of Ajax

Respectfully submitted,

**Original signed by John Presta for**

---

Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**


---

Elaine C. Baxter-Trahair  
Chief Administrative Officer



**Attachment # 1: Fielding Court Ajax**



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If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

---

To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-56](#)  
Date: September 4, 2019

---

**Subject:**

Enactment of a By-Law to Limit the Gross Vehicle Weight of Vehicles Passing over a Bridge Forming Part of the Regional Road System

---

**Recommendations:**

That the Works Committee recommends to Regional Council:

- A) That Corporate Services – Legal Services be directed to enact a by-law, generally in the form included as Attachment #1 to this report, for presentation to Regional Council for passage; and
  - B) That staff be authorized to take all steps required and necessary to give effect to the by-law as indicated in the form included as Attachment #1.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to enact a by-law which limits the gross vehicle weight of vehicles passing over one of the 118 bridges on Regional Municipality of Durham (Region) roads.

## **2. Proposed By-Law**

- 2.1 By-Law #45-2017, being a by-law to limit the gross vehicle weight of vehicles passing over bridges on Regional roads, has expired. Pursuant to Ontario Regulation 103/97 of the Highway Traffic Act, load limit by-law recommendations have to be signed and sealed by two professional engineers who have recommended the bridge load limit and who have recommended the duration for which the load postings remain valid. Two professional engineers of Ontario have recently re-examined Regional structures which are currently posted with load restrictions and have submitted load limit by-law recommendations. A copy of the professional engineers' approvals is included as Attachment #2.
- 2.2 Schedule 'A' of the proposed by-law (Attachment #1) identifies:
- The current weight restriction is valid for Simcoe Street Canadian Pacific Railway (CPR) Overpass on Regional Road 2, in the City of Oshawa for two years.
- 2.3 This weight restriction reflects the recommendation that a visual inspection and re-evaluation of the structure be completed every two years. CPR is responsible for the structure and has not committed to a timeframe for the rehabilitation of this structure. It is noted Metrolinx has indicated that reconstruction of this structure may be required if the Oshawa to Bowmanville GO Rail Expansion Project moves forward along the CPR corridor. A map showing the location of the bridge has been included as Attachment #3 to this report.

## **3. Conclusion**

- 3.1 It is recommended that a by-law limiting the gross vehicle weight of vehicles passing over one bridge on Regional roads be enacted in the form attached hereto (Attachment #1).
- 3.2 This report has been reviewed by the Legislative Services and Legal Services Divisions of the Corporate Services Department.
- 3.3 For additional information, please contact Steven Mayhew, Manager, Transportation Infrastructure, at 905-668-7711, extension 3484.

#### **4. Attachments**

- Attachment #1: Proposed by-law to limit the gross vehicle weight of vehicles passing over a bridge on the Regional Road System
- Attachment #2: Copy of Professional Engineers' of Ontario Approval
- Attachment #3: Location Map of the Simcoe Street CPR Overpass – Oshawa

Respectfully submitted,

**Original signed by John Presta for**

---

Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

---

Elaine C. Baxter-Trahair  
Chief Administrative Officer

**By-law Number \*\*-2019**  
**of The Regional Municipality of Durham**

Being a by-law to limit the gross vehicle weight of any vehicle or any class thereof passing over a bridge forming part of the Regional Road system.

Whereas Subsection (2) of Section 123 of the **Highway Traffic Act**, R.S.O. 1990, c.H.8, as amended, provides that the municipal corporation or other authority having jurisdiction over a bridge may by by-law, limit the gross vehicle weights of any vehicle or any class thereof passing over such bridge and notice of the limit of the weights fixed by such by-law, legibly printed, shall be posted up in a conspicuous place at each end of the bridge;

And Whereas Subsection 2 of Regulation 103/97 provides for the purpose of Subsection 123(2) of the Act, a determination of a limit on the gross vehicle weight of vehicles passing over a bridge shall be signed and sealed by two professional engineers who have set out the maximum allowable load limit at which the bridge may be posted and the period of time for which the determination remains valid;

And Whereas by virtue of Subsection 1 (1) of the table in s.11, Sections 24, 26 and 28 all of *The Municipal Act, 2001, S.O. 2001 c.25*, as amended, The Regional Municipality of Durham has jurisdiction over all highways, including bridges forming part of the highway, in the Regional Road system.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. No vehicle shall pass over any bridge forming part of the Regional Road system and which is set out in Schedule 'A' attached hereto and forming part of this by-law, where the said vehicle has a gross vehicle weight in excess of the weight limitations set out in Schedule 'A' for such bridge.
2. Every person who contravenes any of the provisions of this by-law is guilty of an offence and on conviction is liable to a fine of,
  - a. \$5.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is less than 2500 kilograms, but in no case shall the fine be less than \$100.00;
  - b. \$10.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 2500 kilograms or more but is less than 5000 kilograms;
  - c. \$12.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 5000 kilograms or more but is less than 7500 kilograms;
  - d. \$15.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 7500 kilograms or more but is less than 10000 kilograms;
  - e. \$20.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 10000 kilograms or more but is less than 15000 kilograms; and



- f. \$25.00 per 100 kilograms, or part thereof, for any weight in excess of that permitted under Schedule 'A', where the over weight is 15000 kilograms or more.
- 3. This by-law shall come into effect when notice of the limit of the weights fixed by this by-law, legibly printed, are posted up in a conspicuous place at each end of the bridge.
- 4. Schedule 'A' attached hereto forms part of this by-law.

This By-law Read and Passed on the ----<sup>th</sup> day of -----, 2019.

---

J. Henry, Regional Chair and CEO

---

R. Walton, Regional Clerk

## Schedule A

## Bridges Located on Regional Roads

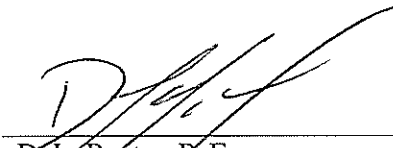
Regional Structure No.	Name and Location of Bridge	Gross Weight Limit (tonnes)	Year of Construction	Time Period from Passing of By-Law for which Weight Restrictions are Valid
002006	Simcoe Street CPR Overpass, Regional Road 2, 0.2 km south of Olive Avenue	Level 1 – 22 Level 2 – 39 Level 3 - 56	1913	2 Years

THE REGIONAL MUNICIPALITY OF DURHAM

PROPOSED WEIGHT RESTRICTION BY-LAW NO. \_\_\_\_\_

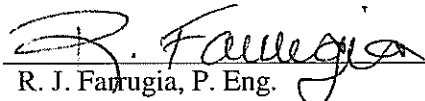
I, D. L. BAXTER, P. ENG., AND R. J. FARRUGIA, P. ENG., PROFESSIONAL ENGINEERS OF THE CONSULTING FIRM OF GHD LIMITED HAVE REVIEWED THE RESTRICTION OF THE WEIGHT OF VEHICLES PASSING OVER THE STRUCTURE KNOWN AS STRUCTURE NO. 002006 AND MORE PARTICULARLY DESCRIBED IN THE PROPOSED BY-LAW. EFFECTIVE THE DATE OF APPROVAL OF THIS BY-LAW, I AGREE WITH THE RECOMMENDED WEIGHT LIMITS AS SET OUT IN THE PROPOSED BY-LAW FOR A PERIOD OF TWO YEARS.

SIGNED:

  
\_\_\_\_\_  
D. L. Baxter, P. Eng.

Stamp



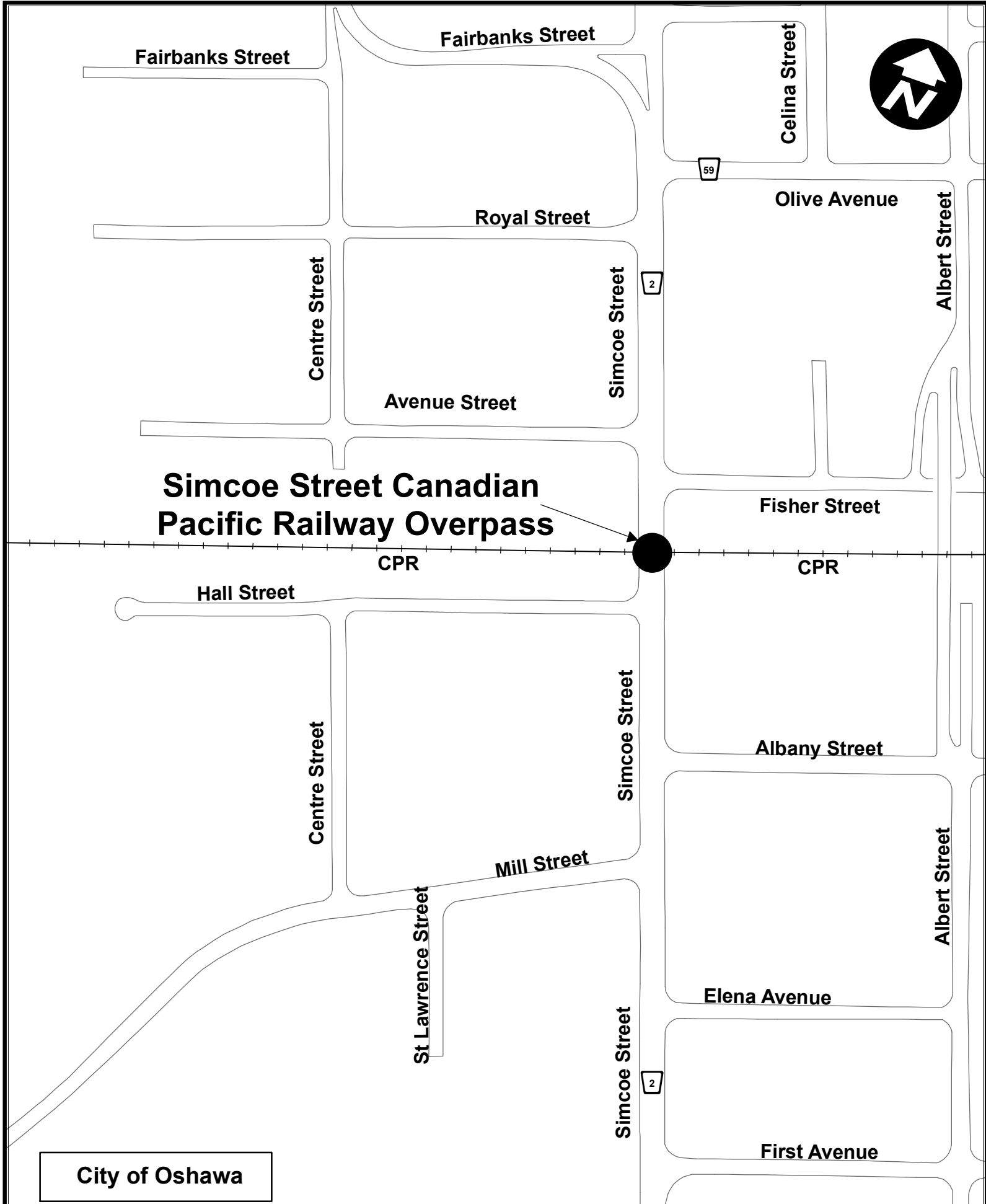
  
\_\_\_\_\_  
R. J. Farrugia, P. Eng.

Stamp



DATED:

July 19, 2019



City of Oshawa

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-58](#)  
Date: September 4, 2019

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**Subject:**

Traffic By-law Amendment to Permit Area Municipalities to use an Administrative Penalty System Process for By-law Infractions on Regional Roads

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**Recommendations:**

That the Works Committee recommends to Regional Council:

- A) That the Traffic By-law #44-2006 be amended to allow local municipalities to enforce by-law infractions on Regional roads through an Administrative Penalty System process where permitted by the local municipality's Administrative Penalty System Memorandum of Understanding with the Province of Ontario and their local by-laws; and
  - B) That an amending by-law, generally in the form included as Attachment #1 to this report, be approved.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to seek Committee and Regional Council approval to update Traffic By-law #44-2006 to permit local municipalities to enforce by-law infractions on Regional Roads through an Administrative Penalty System (APS) process. This amendment has been requested by City of Oshawa (Oshawa) staff.

## 2. Background

- 2.1 The Province of Ontario (Province) passed legislation under the Municipal Act, 2001 that allowed municipalities to create an APS for by-law enforcement. These APS allow local municipalities to designate specific by-law infractions that could be processed without having to involve the Provincial Offences court process.
- 2.2 Local municipalities in the Regional Municipality of Durham (Region) have taken advantage of APS to transfer by-law disputes from the Provincial Offences courtroom to the municipality using Screening and Hearings Officers who are able to modify, cancel, or affirm penalties. This approach has helped in reducing congestion in the courts as well as providing a more local and accessible dispute resolution system.
- 2.3 The APS process has reduced wait times to appeal parking ticket infractions by several months because it allows for a full locally managed process to resolve appeals that does not require court time and resources in the Provincial Offences system.
- 2.4 Oshawa has approached the Region seeking the ability to enforce parking infractions on regional roads within their jurisdiction using APS.
- 2.5 The enforcement of regional road by-law infractions via APS would be a more effective use of municipal and court services. Given the constraints on the Provincial Offences court system in the Region and the approval of the APS process by the Province, allowing local municipalities with APS processes to proceed with enforcement of regional road parking infractions via APS would be a more effective use of municipal and court services.
- 2.6 To enable the local municipalities to enforce the regional by-law using their APS, the Region must pass an amendment to By-law #44-2006 to allow for local municipal enforcement through APS where the local municipality has a Provincially approved APS for use.
- 2.7 Regional staff as well as staff from other Greater Toronto and Hamilton Area (GTHA) jurisdictions are working with the Province to pursue the option to expand the permitted uses of the APS to include automated enforcement offences such as Red-Light Cameras and Automated Speed Enforcement systems.

**3. Conclusion**

- 3.1 It is recommended that Traffic By-law #44-2006 should be amended to allow local municipalities to enforce parking infractions on Regional roads through the Automated Payment System process where permitted by the local municipality's Automated Payment System Memorandum of Understanding with the Province of Ontario and their local parking by-law.
- 3.2 This report has been reviewed by Legal Services and Legislative Services Divisions of the Corporate Services Department.
- 3.3 For additional information, please contact Steven Kemp, Manager, Traffic Engineering and Operations, at 905-668-7711, extension 4701.

**4. Attachments**

Attachment #1: Proposed Amending By-law to Traffic By-#44-2006

Respectfully submitted,

**Original signed by John Presta for**

---

Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

---

Elaine C. Baxter-Trahair  
Chief Administrative Officer

**By-law Number \*\*-2019**  
**of The Regional Municipality of Durham**

Being a by-law to amend By-law Number 44-2006 which regulates traffic and parking on roads under the jurisdiction of the Regional Municipality of Durham.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That Section 27.0 Enforcement be amended by **adding** thereto the following subsection:

27.1 (d) that any local municipality within the Region of Durham that operates an Administrative Penalty System be able to enforce it on Regional Roads within their local municipality provided the local municipality is permitted to do so through their arrangement with the Ministry of Transportation.

---

John Henry, Regional Chair and CEO

---

Ralph Walton, Regional Clerk



If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-59](#)  
Date: September 4, 2019

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**Subject:**

Endorsement of Mr. Rob Franklin to the Trent Conservation Coalition Source Protection Committee

---

**Recommendation:**

That the Works Committee recommends to Regional Council:

- A) That Mr. Rob Franklin be endorsed as the municipal representative on the Trent Conservation Coalition Source Protection Committee;
  - B) That this endorsement be active upon receipt of formal Council resolutions from each of the member municipalities within the Ganaraska Region Source Protection Area; and
  - C) That this endorsement be forwarded to the Lower Trent Source Protection Authority as the lead Source Protection Authority for official appointment to the Source Protection Committee.
- 

**Report:**

**1. Purpose**

- 1.1 As per O. Reg. 288/07 of the Clean Water Act, 2006, all municipalities within the Ganaraska Region Source Protection Area are required to pass a formal Council resolution to endorse a Municipal Representative as the Trent Conservation Coalition (TCC) Source Protection Committee (SPC) representative. The Municipal Representative proposed is Mr. Rob Franklin.

- 1.2 Once resolutions from the member municipalities are received they are forwarded along with the formal nomination to the lead Source Protection Authority for approval.

## **2. Background**

- 2.1 In 2011, Mr. Rob Franklin was appointed to the TCC SPC. On December 31, 2019 this appointment will expire, requiring the vacancy to be filled.
- 2.2 During a nomination period from June 5, 2019 to July 5, 2019, Mr. Rob Franklin was nominated to be a municipal representative.
- 2.3 Mr. Franklin is currently serving as the Manager of Planning Services for the Town of Cobourg. He was previously the Planner for the Ganaraska Region Conservation Authority (1996-2005) and involved with planning and environmental planning with the City of Peterborough, Otonabee Region Conservation Authority and the Ministry of the Environment, Peterborough District.
- 2.4 On August 1, 2019, formal letters were circulated to the clerks of the municipalities within the SPA notifying them of the need to fill the upcoming vacancy of the TCC SPC (Attachment #1).

## **3. Conclusion**

- 3.1 It is recommended that Mr. Rob Franklin be endorsed as the municipal representative on the Trent Conservation Coalition Source Protection Committee
- 3.2 For additional information, contact: Tavis Nimmo, Supervisor of Technical Support at 905-668-7711, extension 3737.

**4. Attachments**

Attachment #1: Letter dated August 1, 2019 to Mr. Ralph Walton, Regional Clerk

Respectfully submitted,

**Original signed by John Presta for**

---

Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

---

Elaine Baxter-Trahair  
Chief Administrative Officer



**Ganaraska Region  
Conservation Authority**

2216 County Road 28  
Port Hope, ON L1A 3V8

Phone: 905-885-8173  
Fax: 905-885-9824  
[www.grca.on.ca](http://www.grca.on.ca)

MEMBER OF  
CONSERVATION ONTARIO

August 1, 2019

via E-mail Only

Mr. Ralph Walton  
Regional Clerk  
Regional Municipality of Durham  
605 Rossland Road East,  
Whitby, ON L1N 6A3

Dear Mr. Walton,

In order to protect sources of municipal drinking water, the *Clean Water Act* was passed in 2006. A key focus of the Act is the establishment of source protection committees, which are responsible for creating locally-developed, science-based assessment reports and source protection plans within provincially defined regions. In 2007 a regulation established the Trent Conservation Coalition (TCC) Source Protection Region (Ontario Regulation 284/07) and the TCC Source Protection Committee (Ontario Regulation 288/07).

The TCC Source Protection Committee (SPC) is comprised of 24 members, representing various interest groups including municipalities. The TCC, in consultation with municipalities, has established geographic groupings of municipalities, called Municipal Working Groups, based on Conservation Authority/Source Protection Area boundaries. The Municipal Working Group for the Ganaraska Region is comprised of the Regional Municipality of Durham, the Township of Hamilton, the Town of Cobourg, the Municipality of Port Hope and the Municipality of Clarington. The Ganaraska Region Source Protection Area Municipal Working Group municipalities are required to appoint one member to the TCC SPC.

In 2011, the Ganaraska Region Municipal Working Group nominated Mr. Rob Franklin, as their representative on the Trent Conservation Source Protection Committee. On December 31, 2019, Mr. Franklin's appointment to the Committee will expire. Therefore, this upcoming vacancy is required to be filled.

During a nomination period from June 5, 2019 to July 5, 2019, Mr. Rob Franklin was nominated to represent the municipalities of the Ganaraska Region Municipal Working Group on the TCC SPC. As such, the Ganaraska Region Conservation Authority requests that your council consider this nomination, and if acceptable, pass a resolution recommending appointment of Mr. Rob Franklin to represent your municipality on the Trent Conservation Coalition Source Protection Committee.

Please forward your response to this request to Ganaraska Region Conservation Authority by Friday, October 11, 2019, or at your earliest convenience. Should you require further information please contact Pam Lancaster, Lead Source Water Protection at [plancaster@grca.on.ca](mailto:plancaster@grca.on.ca) or 905-885-8173 x 247.

Yours truly,



Linda J. Laliberte, CGA, CPA  
CAO/Secretary-Treasurer

encl: Rob Franklin biography  
cc: Ganaraska Region Municipal Working Group members, file

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: #2019-W-61  
Date: September 4, 2019

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**Subject:**

Standardization and Approval to Award Sole Source Supply of Uninterruptible Power Supply Equipment

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**Recommendations:**

That the Works Committee recommends to Regional Council:

- A) That Uninterruptible Power Supply equipment for traffic signals manufactured by Alpha Technologies be adopted as the standard for the Regional Municipality of Durham;
  - B) That a sole source contract with Tacel Limited for the provision of Uninterruptible Power Supply equipment at traffic control signals be awarded, for a five year term (January 1, 2020 to December 31, 2024) totalling \$1,625,000\* at an annual cost of approximately \$325,000\*, with financing provided subject to Regional Council's approval of the Works Department Business Plan and Budget; and
  - C) That the Commissioner of Finance be authorized to execute the necessary agreement.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to provide details and seek Regional Municipality of Durham (Region) Council approval to standardize Uninterruptible Power Supply (UPS) equipment for traffic control signals to the FXM 1100 uninterruptible power supply system manufactured by Alpha Technologies (Alpha System) and supplied

by Tacel Limited (Tacel), and to award a sole source agreement to purchase these units for a period of up to five years subject to approval of the funding through the annual Business Planning and Budget process. Dollar amounts followed by an asterisk (\*) include all applicable taxes.

## **2. Background**

- 2.1 On April 24, 2019, Regional Council approved Works Committee Report #2019-W-27, endorsing a Vision Zero—Strategic Road Safety Action Plan for the Region. Intersections were identified as the top emphasis area of the plan accounting for over 60 per cent of all injury and fatal collisions in the Region. UPS was identified as a countermeasure for implementation to improve safety at traffic control signals during power outages.
- 2.2 The installation of UPS systems has also been identified as an action in the Region’s Business Continuity Plan. An assessment of business functions indicated that in the event of a disruption of the Traffic Management Centre signal coordination capabilities would be restricted. As a result, Works Department staff undertook to develop a program to install UPS devices at all intersections under Regional jurisdiction on a priority basis.
- 2.3 The Works Department operates and maintains all Regional and non-Regional traffic control signals in Durham Region. UPS equipment allows a traffic control signal to operate for over four hours when there is a loss of power from the main electrical supply. With this equipment installed, a traffic control signal can continue to provide direction to motorists and pedestrians with respect to rights of way. At major intersections, this can be a critical safety measure. The goal is to install UPS equipment at every signalized intersection in the Region, subject to Regional and non-Regional funding. The following table represents the quantity of UPS equipment currently installed by jurisdiction:

<b>Jurisdiction</b>	<b>Number of Signals</b>	<b>Number of Signals with UPS</b>	<b>Percentage of Signals with UPS</b>
Regional	424	30	7
Clarington	18	0	0
Oshawa	34	0	0
Whitby	34	0	0
Ajax	32	0	0
Pickering	21	0	0
MTO	54	37	70
407 ETR	1	1	100
407 EDG	4	1	25
<b>Total</b>	<b>622</b>	<b>69</b>	<b>11</b>

2.4 Based on recent contracts, the cost to install UPS equipment at an existing traffic control signal is approximately \$25,000\*. As part of the Region's annual correspondence to non-Regional agencies regarding traffic control signal budget estimates, the Region continues to recommend that they consider a similar UPS program and provide annual funding for their respective signals.

### **3. Standardization and Justification for Sole Source**

3.1 The Alpha system manufactured by Alpha Technologies and supplied by Tacel Limited has been tested and approved through the Regional Infrastructure Standardization Committee (RISC) as it met all Regional requirements for a UPS system. The Alpha system is the only system that met all requirements as per the UPS specification for traffic control signals.

3.2 The Alpha system has been integrated with the Regional Central Traffic Signal Control system to provide alarm notification when the UPS is on battery mode. It provides a seamless transfer from utility line to battery power with no interruption to traffic signal operation in the event of a loss of utility line power and provides runtime beyond the specified requirements. Also, Alpha System UPS units are able to recharge within eight hours from a fully discharged state.

3.3 It is recommended that all the components that make up the Alpha system (e.g. cabinet, automatic transfer switch, inverter, battery and other accessories) be purchased together. Mixing UPS vendors would put the Region into the role of a system integrator, thus transferring liability, compatibility and warranty responsibility from the vendor to the Region.



3.4 Although other Alpha products are available from other vendors, Tacel is the only vendor that can supply Alpha UPS equipment designed and rated for traffic control signals.

#### **4. Financial Implications**

4.1 Section 8.1.1 of the Purchasing By-law 68-2000 (Amended) permits that in cases where there is only one known source of supply, the acquisition of goods and services can be made through a negotiation process.

4.2 Funding allocation is provided through the Region's annual Roads Capital Budget. The 2018 approved budget for Signal Installation is \$1,700,000 and for the UPS Installation Program is \$150,000 for sites under Regional jurisdiction. Non-regional sites are funded by the local municipalities and province and are administered by Regional staff. Typically, local municipalities provide funding for one to two new locations per year. All new traffic signals will include UPS systems.

4.3 Subject to approval of the required financing as part of the Region's Business Planning and Budget process, the Region is planning to install approximately 13 new UPS systems annually through various programs at Regional locations. The projected expenditure would be approximately \$325,000\* per year or \$1,625,000\* for the five-year term.

#### **5. Conclusion**

5.1 It is recommended that the Regional Municipality of Durham standardize the procurement of UPS equipment to equipment manufactured by Alpha Technologies and award a sole source agreement with Tacel Limited for the supply of the equipment for a period of up to five years.

5.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.

5.3 For additional information, please contact Steven Kemp, Manager, Traffic Engineering and Operations at 905-668-7711 ext. 4701.

Respectfully submitted,

**Original signed by John Presta for**

\_\_\_\_\_  
Susan Stojis, P.Eng.

Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

\_\_\_\_\_  
Elaine C. Baxter-Trahair  
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-62](#)  
Date: September 4, 2019

---

**Subject:**

Seaton Phase 1 Regional Infrastructure Front Ending Agreement – Amending Agreement

---

**Recommendations:**

That the Works Committee recommends to Regional Council:

- A) That the planned trunk sanitary sewer under Elsa Storry Avenue, on the south side of Highway 407, be reclassified from a Region Constructed Project to a Landowner Constructed Project, as defined in the Seaton Phase 1 Regional Infrastructure Front Ending Agreement;
  - B) That the Amending Agreement with the Seaton Landowners Group to allow this reclassification of project type, as identified in the Seaton Phase 1 Regional Infrastructure Front Ending Agreement, be approved; and
  - C) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements required to facilitate the arrangement described herein.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to seek authorization for the Regional Municipality of Durham (Region) to execute an Amending Agreement with the Seaton Landowners Group (SLG) comprised of the private developers within Seaton and the Province to allow the reclassification of the trunk sanitary sewer project under Elsa Storry Avenue (see map in Attachment #1) from a Regional Constructed Project to a Landowner Constructed Project as defined in the Seaton Phase 1

Regional Infrastructure Front Ending Agreement (RFEA).

## **2. Background**

- 2.1 In November 2015, the Regional Municipality of Durham (Region) entered into an agreement with the SLG for the front end financing of Regional water supply, sanitary sewerage and roads services required in Seaton (the RFEA). The construction of a trunk sanitary sewer under Elsa Storry Avenue, south of Highway 407, is one component of this RFEA and was included as a Region Construction Project in the RFEA.
- 2.2 At the time of writing the RFEA, the lands surrounding the subject trunk sewer were owned by the Province and the proposed use of the lands as well as the timing of development of the lands were unknown. For these reasons, it was decided that the construction of the trunk sewer through these lands should be done by the Region.
- 2.3 The Province has now sold these lands to a land development group, Seaton TFPM Inc. (TFPM). TFPM has signed on to the RFEA and is moving forward with the development of the lands. It is much more practical to have the trunk sanitary sewer constructed along with the subdivision as a Landowner Constructed Project. This process would be similar to all other sanitary sewer projects constructed within the limits of SLG subdivision lands.
- 2.4 A request letter from the RFEA Trustee to make this change is contained in Attachment #1 along with a map of the area.

## **3. Amending Agreement**

- 3.1 As noted above, an Amending Agreement is required to reflect the change in classification of the construction of the trunk sanitary sewer from a Region Constructed Project (as that term is defined in the RFEA) to a Landowner Constructed Project (as that term is defined in the RFEA).

## **4. Financial Implications**

- 4.1 The financial arrangements for constructing this sanitary sewer project as a Region Constructed Project or a Landowner Constructed Projects are the same. In both cases, the SLG funds the Seaton Landowner's Share and the Federal Share. They are then provided Development Charge Credits against the Seaton Share (based on actual costs) and the Region has an endeavour to collect clause

for the Federal Share.

- 4.2 The main difference between the two approaches is how the works are secured. When the Region constructs the project, the private landowners provide letters of credit valued at 100 per cent of their Share which the Region draws down to pay the Regional Contractor. The Province is invoiced for their share of costs. When the Landowners construct the project, the private landowners provide the Region with performance security letters of credit valued at 50 per cent of their share of the costs of work and they also pay their own contractor directly for the construction of the works. Once the work is complete, the Region reduces the security to a maintenance amount and after two years the remainder of the security is released.

## **5. Conclusion**

- 5.1 It is recommended that the Regional Municipality of Durham enter into an RFEA Amending Agreement with the Seaton Landowners Group.
- 5.2 This report has been reviewed by the Finance Department and Corporate Services – Legal.
- 5.3 For additional information, please contact Paul Gillespie at 905-668-7711, extension 3443.

**6. Attachments**

Attachment #1: Request letter from the RFEA Trustee

Attachment #2: Seaton Phase 1 Regional Infrastructure Front Ending Amending Agreement

Respectfully submitted,

**Original signed by John Presta for**

---

Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

---

Elaine C. Baxter-Trahair  
Chief Administrative Officer

ORIGINAL

January 22, 2019

The Regional Municipality of Durham  
Works Department  
605 Rossland Road East  
PO Box 623  
Whitby, Ontario  
L1N 6A3

**Attachment #1 to Report #2019-W-62**

Attention: Mr. Paul Gillespie, P. Eng.,  
Manager, Development Approvals Division

Dear Sir:

**RE: North Pickering (Seaton) Community  
Seaton Phase 1 Regional Infrastructure  
Front Ending Agreement dated November 26, 2015  
North Pickering Community Management Inc.  
Construction of 1200mm Diameter East Sanitary Trunk Sewer  
Reclassification from Owner Financed, Region Constructed Work to  
Owner Financed and Constructed Work  
City of Pickering, Region of Durham**

---

I am the President of and an Authorized Signing Officer for North Pickering Community Management Inc. ("NPCMI"), the Trustee appointed pursuant to the provisions of the Seaton Phase 1 Regional Infrastructure Front Ending Agreement dated November 26, 2015 (the "RFEA"). For the purposes of the RFEA, NPCMI acts on behalf of various landowners in the Seaton Community (the "Seaton Landowners Group" or the "Group").

Further to recent discussions between the Region of Durham and the Seaton Group Project Manager, Mr. Glenn Pitura, please accept this letter as a formal request by the Seaton Landowners Group that the Region agree to treat the construction of the 1200 mm diameter East Trunk Sanitary Sewer (identified as S-3 on the attached Staging Plan) as a project to be "Financed and Constructed by Landowners Group" from the point at which the sewer leaves the Brock Road ROW and enters the residential subdivision in question (the "Sewer").

Under Schedule "D" of the RFEA construction of the Sewer is classified as a project to be "Financed by Landowners Group but Constructed by Region of Durham". This classification made sense when the residential subdivision land was owned by Infrastructure Ontario ("IO") and IO had no intention of moving forward with the servicing of the land. However, now that a Private Landowner, namely Seaton TFPM Inc., has purchased the land and intends to move forward with servicing, it would be more practical to have the Sewer completed by the Seaton Landowners Group in the same manner as Assignments 2A, 2B, 5, and 8, where Regional Infrastructure was located within, and the construction of such, coordinated with the residential lands.

...2

The Group understands and accepts that if the Region agrees to this request an amending agreement to the RFEA will be required to formalize this arrangement.

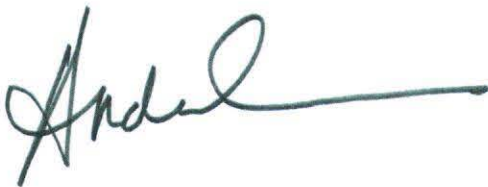
The Seaton Landowners Group and its various representatives would be happy to meet with you at a mutually convenient time and place to discuss this request further should you so wish.

In the interim, should you have any questions or require further information please do not hesitate to contact the Seaton Group Project Manager, Mr. Glenn Pitura, or this office.

Thank you.

Yours truly,

**NORTH PICKERING COMMUNITY MANAGEMENT INC.**

A handwritten signature in dark ink, appearing to read "Andrew", with a long horizontal flourish extending to the right.

Andrew Orr  
President, A.S.O.

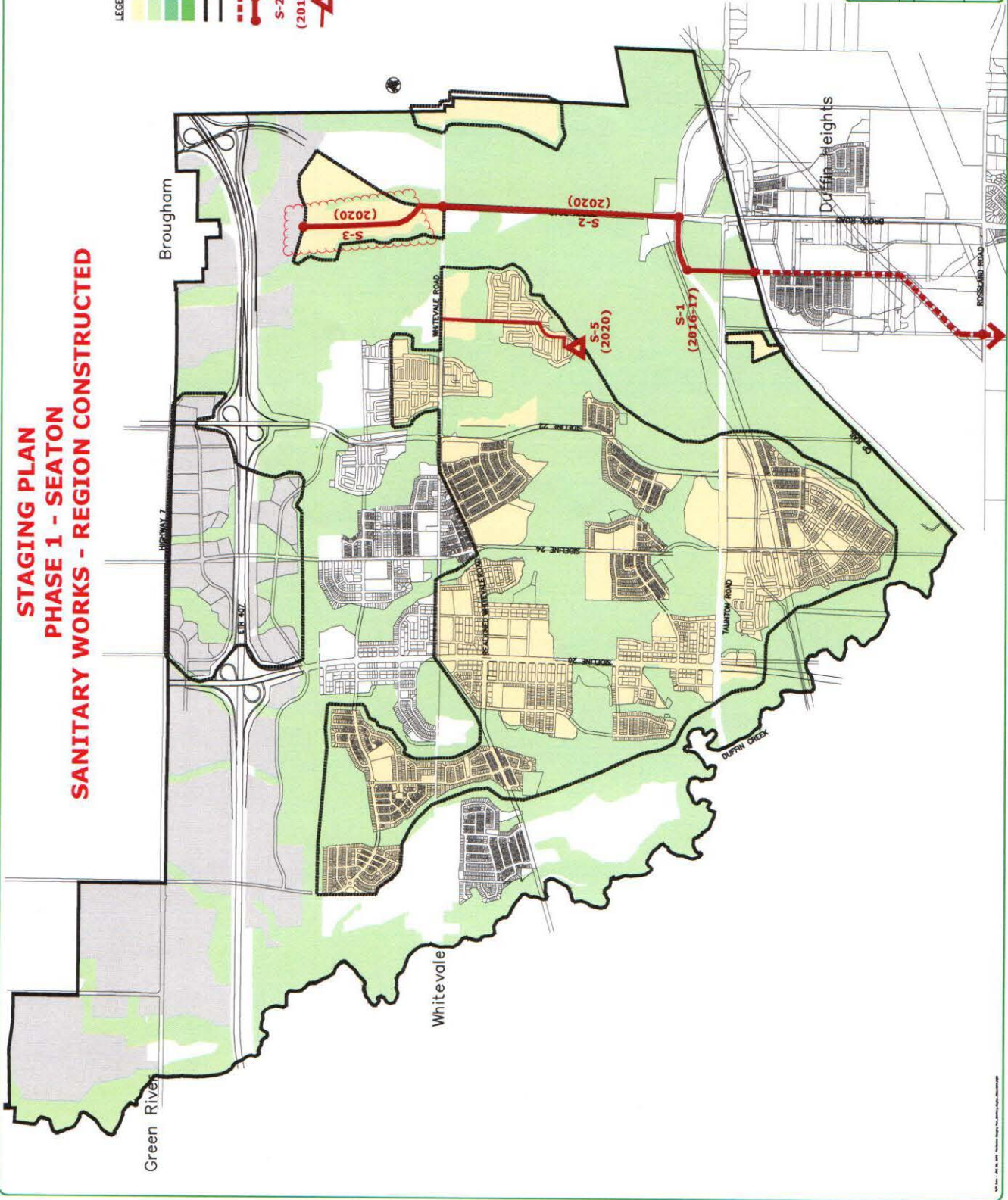
Encl.

- cc. Regional Clerk – Mr. Ralph T. Walton (via email only)
- Regional Solicitor – Mr. Kevin Ryan (via email only)
- Group Project Manager/Engineer – Mr. Glenn Pitura (via email only)
- CSA Assistant Group Engineer – Ms. Julie Bottos (via email only)
- CSA Solicitor – Mr. Daniel Steinberg (via email only)
- CSA Consultant – Mr. Reg Webster (via email only)
- CSA Accountant – Mr. Joseph Di Ilio (via email only)
- Seaton Landowners Group (via email only)



**STAGING PLAN  
PHASE 1 - SEATON  
SANITARY WORKS - REGION CONSTRUCTED**

- LEGEND**
- PHASE 1 RESIDENTIAL
  - NATURAL HERITAGE SYSTEM
  - EXISTING PRIVATE OPEN SPACE
  - HAMLET HERITAGE OPEN SPACE
  - PHASE BOUNDARY
  - STATION BOUNDARY
  - EXISTING SERVICES
  - NEW SEWER SECTION #
  - S-2 (2017)
  - S-3 (2020)
  - S-5 (2020)
  - YEAR OF CONSTRUCTION
  - PUMPING STATION AND FORCE MAIN



**R W Consulting**  
 1800 Wellington Street  
 Unit 100  
 Mississauga, ON L4X 1L7  
 Phone: 905-714-8000  
 Fax: 905-714-8001  
 Email: info@rwconsulting.com

**Central Pickering Development Plan**  
**PHASE 1**  
**REGION CONSTRUCTED**  
**WORKS (SEWER)**  
**JAN 2018**

DATE: JAN 2018  
 SCALE: 1:1,000  
 SHEET: SP-SR

SEATON PHASE 1 REGIONAL INFRASTRUCTURE FRONT ENDING  
AMENDING AGREEMENT

THIS AGREEMENT is dated \_\_\_\_\_, 2019.

**B E T W E E N**

**THE REGIONAL MUNICIPALITY OF DURHAM**  
(The "Region")

OF THE FIRST PART

- and -

**1133373 ONTARIO INCORPORATED**  
("1133373")

OF THE SECOND PART

- and -

**LEBOVIC ENTERPRISES LIMITED**  
("Lebovic")

OF THE THIRD PART

- and -

**OAK RIDGES SEATON INC.**  
("Oak Ridges")

OF THE FOURTH PART

- and -

**ZAVALA DEVELOPMENTS INC.**  
("Zavala")

OF THE FIFTH PART

- and -

**ZAVALA DEVELOPMENTS INC., IN TRUST**  
("Zavala In Trust")

OF THE SIXTH PART

- and -

**MATTAMY (SEATON) LIMITED**  
("Mattamy Seaton")

OF THE SEVENTH PART

- and -

**WHITE SUN DEVELOPMENTS LIMITED**  
("White Sun")

OF THE EIGHTH PART

- and -

**SEATON TFPM INC.**  
("Seaton TFPM")

OF THE NINTH PART

- and -

**KUBOTA CANADA LTD.**  
("Kubota")

OF THE TENTH PART

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO**  
**AS REPRESENTED BY THE MINISTER OF GOVERNMENT AND CONSUMER SERVICES**  
(the "Province")

OF THE ELEVENTH PART

- and -

**NORTH PICKERING COMMUNITY MANAGEMENT INC.**  
(the "Trustee")

OF THE TWELFTH PART

**WHEREAS** 1133373, Lebovic, Oak Ridges, Zavala, Zavala In Trust, Mattamy Seaton, White Sun, Seaton TFPM, Kubota (collectively, the "Private Landowners") and the Province own lands within the Seaton Area which are within the area subject to the Central Pickering Development Plan.

**AND WHEREAS** the Private Landowners, the Province, the Trustee and the Region are parties to an agreement dated November 26, 2015 for the funding and construction of Regional water, sanitary sewerage and road infrastructure required for the development of the Seaton Area (the "RFEA").

**AND WHEREAS** the Province was originally referenced in the RFEA as Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Employment and Infrastructure.

**AND WHEREAS** by Order in Council No. 1342/2016, approved and ordered September 14, 2016, all of the powers and duties previously assigned and transferred to the Minister of Economic Development, Employment and Infrastructure in respect of infrastructure and other matters were assigned and transferred to the Minister of Infrastructure.

**AND WHEREAS** by Order in Council No. 1152/2018, approved and ordered October 22, 2018, certain responsibilities in respect of government property under the *Ministry of Infrastructure Act, 2011, S.O. 2011, c. 9, Sched. 27* and other responsibilities were assigned and transferred from the Minister of Infrastructure to the Minister of Government and Consumer Services.

**AND WHEREAS** the construction of a 1200 mm diameter East Trunk Sanitary Sewer from the point at which the sewer leaves the Brock Road right-of-way and enters the Seaton TFPM subdivision, as more particularly depicted on Schedule "A" to this Agreement (the "Sanitary Works"), is identified as "Region Constructed Works" in the RFEA.

**AND WHEREAS** the Private Landowners, the Province, the Trustee and the Region (collectively, the "Parties") have agreed that the Sanitary Works should be financed and constructed as "Landowner Constructed Works" pursuant to the RFEA rather than as Region Constructed Works.

**AND WHEREAS** the Parties have entered into this Agreement in order to confirm their mutual agreement with respect to the foregoing.

**NOW THEREFORE** the Parties hereby agree as follows:

**1.0 DEFINITIONS**

1.1 Unless otherwise specifically defined herein, all capitalized terms shall have the meaning ascribed to them in the RFEA.

**2.0 SECURITY AND FINANCIAL OBLIGATIONS**

2.1 The Sanitary Works shall be financed and constructed by the Seaton Landowners in the manner of Landowner Constructed Works, not Region Constructed Works, under the RFEA.

2.2 For greater clarity, Article 3 of the RFEA shall apply, with necessary modifications, to the funding and security for the Sanitary Works.

**3.0 GENERAL**

3.1 This Agreement may be executed in one or more counterparts and all counterparts executed and once delivered to the Region by all the parties to this Agreement shall together constitute a full, original and binding agreement for all purposes. Counterparts may be executed either in original or electronically transmitted form and such electronic signature shall be treated for all purposes as an original signed execution of the party.

**IN WITNESS WHEREOF** the parties have hereunto caused their proper signing officers duly authorized in that behalf to sign this Agreement as of the day and year written above.

**THE REGIONAL MUNICIPALITY OF DURHAM**

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Regional Chair and CEO

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Regional Clerk

**1133373 ONTARIO INCORPORATED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have authority to bind the Corporation.

**LEBOVIC ENTERPRISES LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have authority to bind the Corporation.

**OAK RIDGES SEATON INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/We have authority to bind the Corporation.

**ZAVALA DEVELOPMENTS INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/we have authority to bind the Corporation.

**ZAVALA DEVELOPMENTS INC., IN TRUST**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/we have authority to bind the Corporation.



**MATTAMY (SEATON) LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/we have authority to bind the Corporation.

**WHITE SUN DEVELOPMENTS LIMITED**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/we have authority to bind the Corporation.

**SEATON TFPM INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/we have authority to bind the Corporation.

**KUBOTA CANADA LTD.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/we have authority to bind the Corporation.

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO  
AS REPRESENTED BY THE MINISTER OF  
GOVERNMENT AND CONSUMER SERVICES**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/we have authority to bind the Corporation.

**NORTH PICKERING COMMUNITY MANAGEMENT INC.**

Per: \_\_\_\_\_

Name:

Title:

Per: \_\_\_\_\_

Name:

Title:

I/we have authority to bind the Corporation.

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: #2019-W-63  
Date: September 4, 2019

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**Subject:**

Amendment and Extension of Lease for Premises with Campbell Drive Professional Building Inc. at 2 Campbell Drive, Suites 301 – 305, in the Township of Uxbridge for the Regional Municipality of Durham Social Services Department

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**Recommendations:**

The Works Committee recommends to Regional Council:

- A) That the amendment and extension of lease for 446.86 square metres (4,810 square feet) of office space, being part of the building located at 2 Campbell Drive, Suites 301 - 305, in the Township of Uxbridge be approved with the following terms and conditions:
  - i) The term is for a period of two years commencing November 1, 2019, ending October 31, 2021, with an option to extend for an additional three years subject to the rental rate being negotiated;
  - ii) The annual rental rate for the two-year period of the lease is \$64,935\* based on a rate of \$145.31\* per square metre (\$13.50\* per square foot);
  - iii) The Regional Municipality of Durham is responsible for all operating costs for the building, common areas and the leased premises;
  - iv) The Regional Municipality of Durham is responsible for a proportionate share of any applicable property taxes; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the amendment and extension of lease agreement.

**Report:****1. Purpose**

- 1.1 This report seeks authorization for the Regional Municipality of Durham (Region) to amend and extend the lease agreement with Campbell Drive Professional Building Inc. at 2 Campbell Drive, Suites 301 - 305, in the Township of Uxbridge (Uxbridge) for the Social Services Department, Family Services and Income and Employment Support Divisions. Dollar amounts followed by an asterisk (\*) are before applicable taxes in all instances.

**2. Background**

- 2.1 The Region has leased 446.86 square metres (4,810 square feet) of space at 2 Campbell Drive in Uxbridge since 1997 for the Region's Social Services Department Family Services and Income and Employment Support Divisions. Social Services has advised they wish to renew the lease arrangement at this location.

**3. Discussions**

- 3.1 The proposed amendment and lease extension is for a term of two years, commencing November 1, 2019 and ending October 31, 2021. There is an option to extend for an additional three years subject to the rental rate being negotiated.
- 3.2 The total annual lease cost is \$64,935\* based on a rate of \$145.31\* per square metre (\$13.50\* per square foot) per annum\*. The rental rate is unchanged from the previous lease.
- 3.3 The Region is responsible for operating costs for a proportionate share of the leased premises, estimated to be \$102.26\* per square metre (\$9.50\* per square foot) in 2019 for a total estimated annual operating cost of \$45,695\*.

**4. Financial Implications**

- 4.1 Financing for the amendment and extension of lease of \$64,935\* per annum and related operating costs will continue to be provided within the Social Services Department, Family Services and Income and Employment Support Divisions' Annual Operating Budgets for this facility.



4.2 Since approval of this lease renewal requires a long-term financial obligation, the Regional Treasurer has updated the Region's financial debt and obligation limit. In accordance with Section 4 of the Ontario Regulation 403/02, the Region's Treasurer has calculated an updated long-term debt-financial limit and has determined that the limit has not been exceeded. Therefore, this amendment and extension lease does not require the approval of the Local Planning Appeal Tribunal.

## **5. Conclusion**

5.1 The Social Services Department has advised that they wish to amend and extend the lease for space at 2 Campbell Drive in the Township of Uxbridge, and it is recommended that the Regional Municipality of Durham enter into an amendment and extension of lease agreement based on the above noted terms and conditions.

5.2 This report has been reviewed by the Finance Department.

5.3 For additional information, please contact Jeremy Harness, Manager, Financial Services and Corporate Real Estate, at 905-668-7711, extension 3475.

Respectfully submitted,

### **Original signed by John Presta for**

Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

### **Original signed by**

Elaine C. Baxter-Trahair  
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-64](#)  
Date: September 4, 2019

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**Subject:**

Rainbow Pedestrian Crosswalks

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**Recommendation:**

That the Works Committee recommends to Regional Council that installations of Rainbow Pedestrian Crosswalks not be permitted on Regional roads.

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**Report:**

**1. Purpose**

1.1 On May 8, 2019, Mr. J. Farr appeared before the Works Committee on behalf of PFLAG (Parents and Friends of Lesbians and Gays) to request the Regional Municipality of Durham's (Region) support for the installation of rainbow pedestrian crosswalks in all local area municipalities within the Region. In response, Works Committee referred the matter to staff for further investigation regarding implementing rainbow crosswalks in all municipalities within the Region. The purpose of this report is to assess the implications of the request and recommend future direction.

**2. Background**

2.1 A pedestrian crosswalk marking defines and delineates the path for pedestrians to cross the roadway. As a basic principle, the Region's Uniform Regional Traffic Policy (URTP) recognizes the need for uniformity and consistency in all traffic control devices, to enhance the ability of road users to immediately recognize and interpret the intention of such devices. It is therefore the policy of the Region to subscribe to those designs of traffic control devices which are accepted as

- standard, generally consistent with those specified in the Ontario Traffic Manual (OTM), Transportation Association of Canada (TAC) guidelines and/or the Manual of Uniform Traffic Control Devices (MUTCD).
- 2.2 The Region currently installs two types of crosswalk markings: the two transverse white lines that define the width of the crosswalk; or, where warranted due to high pedestrian volumes, ladder crosswalk markings which provide the additional longitudinal stripes in white to enhance the delineation.
  - 2.3 A rainbow pedestrian crosswalk is a form of a decorative crosswalk, with the decoration denoting social or recreation symbols (in addition to the purpose of serving as a traffic control device).
  - 2.4 A number of jurisdictions across North America have implemented rainbow pedestrian crosswalks in order to celebrate Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) awareness and rights. In Ontario, the City of Toronto, City of Hamilton, City of London and Town of Cobourg have implemented rainbow crosswalks at a select number of locations. Recently, the Municipality of Clarington installed a rainbow crosswalk at a local road intersection, and the Region installed one at Regional Headquarters (private property). Outside of Ontario, staff are aware of similar installations completed in major cities including Vancouver, Kelowna, Halifax and Calgary. Based on a quick scan, the examples available all appear to be installations at low volume, low speed roadway intersections – not typical to Regional road intersections, rather typical of local road intersections. Local road intersections are generally preferred for these installations given the lower traffic volumes, greater pedestrian volumes and increased exposure to youth (e.g. in school zones). Consistent with this, the installation of rainbow pedestrian crosswalks in two-tier agencies across the Greater Toronto Area appears limited to lower tier municipal road intersections.
  - 2.5 As there are no design standards for rainbow pedestrian crosswalks, installations across North America have been limited and inconsistent. Some municipalities have installed coloured markings within the crosswalk parallel to the crosswalk lines while others have installed multi-coloured ladder markings.
  - 2.6 Some municipalities have acknowledged LGBTQ awareness and rights in other ways including park benches, flags, banners and sidewalk stencils. These methods present opportunities to celebrate LGBTQ awareness and rights in the public realm with less risk and much lower installation and life cycle maintenance costs.

### **3. Risk and Liability**

- 3.1 Regional staff have consistently responded to requests for consideration of rainbow pedestrian crosswalks on Regional roads from the City of Oshawa, Town of Ajax and most recently the Township of Brock stating that the proposed designs do not comply with established standards and guidelines.
- 3.2 After further review, Regional staff continue to be of the opinion that rainbow pedestrian crosswalk markings at Regional intersections have potential liability and risk impacts that are especially greater compared to local road intersections.
- 3.3 Regional staff therefore do not recommend implementing rainbow pedestrian crosswalks, a form of traffic control that is inconsistent with design guidance and best practices. Although these documents are not law and do not specifically prohibit the use of rainbow pedestrian crosswalks, staff consider any deviation from these guidelines as a potential liability risk.
- 3.4 Local area municipalities across the Region are currently evaluating the installation of rainbow pedestrian crosswalks at local road intersections. It is prudent to monitor outcomes of these installations, and as well remain connected with the industry which is looking to establish guidelines and standards for decorative crosswalks in light of their increasing interest.

### **4. Conclusion**

- 4.1 Regional staff do not recommend installing rainbow pedestrian crosswalks at Regional intersections due to the risks associated in deviating from established traffic control device design practices and standards.
- 4.2 Alternative methods to celebrate LGBTQ awareness and rights are recommended instead such as rainbow pedestrian crosswalks at lower traffic volume, lower speed local road intersections, and/or the installation of flags, banners and sidewalk stencils.

- 4.3 For additional information, please contact Steve Kemp, Manager of Traffic Engineering and Operations, at 905-666-8116, extension 4701.

Respectfully submitted,

**Original signed by John Presta for**

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Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

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Elaine C. Baxter-Trahair  
Chief Administrative Officer

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-65](#)  
Date: September 4, 2019

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**Subject:**

Red-Light Camera Program Implementation

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**Recommendations:**

That the Works Committee recommends to Regional Council:

- A) That the Regional Municipality of Durham proceed with the implementation of twelve (12) Red-Light Cameras as identified in Attachment 1 to this report to reduce red-light running and improve safety, subject to confirmation from the vendor that installations are technically feasible;
- B) That the Commissioner of Works be authorized, subject to concurrence of the Commissioner of Finance and Director of Legal Services, to negotiate, enter into and execute a standing agreement with the City of Toronto for Red-Light Camera record processing including the cost sharing of expenses related to the operation of the Joint Processing Centre, at an estimated annual cost of \$72,000, with all 2019 costs to be funded from allowances within the Works Department's 2019 operating budget and 2020/2021 costs within the 2020 and 2021 Business Plans and Budgets;
- C) That the Commissioner of Works be authorized, subject to concurrence of the Commissioner of Finance and Director of Legal Services, to negotiate, enter into and execute a standing agreement with Her Majesty the Queen in Right of Ontario, as represented by the Ministry of Transportation, for the access and use of licence plate registration information, at an estimated annual cost of \$35,000, with all 2019 costs to be funded from allowances within the Works Department's 2019 operating budget and 2020/2021 costs within the 2020 and 2021 Business

## Plans and Budgets;

- D) That Regional Council request that the Province of Ontario permit the use of an Administrative Penalty System for offences issued by Red-Light Cameras;
- E) That the Commissioner of Finance be authorized to negotiate, enter into and execute a sole source agreement with Traffipax LLC for the supply, including installation and operation, of 12 red-light cameras, based on a Contract awarded through the City of Toronto's Request for Proposal No. 9148-15-5000 for "The Supply, Installation, Operation, and Maintenance of Red-Light Camera Systems within the City of Toronto and Other Municipalities within Ontario." in April of 2015, and as permitted under Article 13 of the Region's Purchasing By-law 68-2000, with the following provisions:
- i) Contract period of two years and one month, commencing December 1, 2019 with an estimated total value of approximately \$1,000,000 (i.e., approximately \$500,000 per year), excluding taxes, with all 2019 costs to be funded from allowances within the Works Department's 2019 operating budget and 2020/2021 costs within the 2020 and 2021 Business Plans and Budgets; and
  - ii) Option to renew the contract for an additional five years, commencing January 1, 2022, subject to annual budget approval, for an estimated total value of approximately \$4,000,000, excluding taxes;
- F) That pre-budget approval be granted for the annual costs to administer the program, in both 2020 and 2021, in the amount of:
- i) \$800,000, in both years, for Works Department red-light camera expenses; and,
  - ii) \$350,000, in both years, for Legal Provincial Offences Act red-light camera expenses;
- G) That the Director of Legal Services be authorized to submit applications and other documents as may be required to the Province of Ontario or Ministry of Transportation for the appointment of any Regional employees as Provincial Offence Officers to implement the Region's Red-Light Camera Program;
- H) That staff report back to the Works Committee with an update on the Red-Light Camera program, including information on red-light running violations and program expenses and revenues, in fall 2020; and
- I) A copy of this report be sent to the Ministry of Transportation – Ontario, the City of

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Toronto and all area municipalities with the Regional Municipality of Durham.

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**Report:****1. Purpose**

- 1.1 The purpose of this report is to seek Regional Council authority to proceed with Red-Light Camera Automated Enforcement Technology at twelve (12) signalized intersections in an effort to reduce red-light running, reduce collisions and ultimately reduce crash related injury and death as a priority Vision Zero initiative.

**2. Background**

- 2.1 In 2015, Regional Council considered Report #2015-J-46 regarding the use of Red-light Camera Automated Enforcement Technology to improve safety. At that time, it was decided that the Regional Municipality of Durham (Region) would focus on other safety initiatives including the preparation of a Strategic Road Safety Action Plan to identify priorities.
- 2.2 On September 5, 2018, the Committee of the Whole adopted a recommendation referring a Town of Ajax resolution regarding Red-light Cameras to Works staff for a report.
- 2.3 On April 24, 2019, Regional Council approved Report #2019-W-27 endorsing Vision Zero principles and the Strategic Road Safety Action Plan (Plan). The Plan identified Red-light Cameras as a priority safety countermeasure to address collisions at intersections.
- 2.4 Durham Regional Police Services are in support of the proposed implementation of Red-light Cameras in the Region.

**3. Red- Light Running**

- 3.1 Red-light running has the potential to cause serious injury or death for both the offending driver and innocent victims.
- 3.2 The Region's collision records database contains 534 collisions over a three and a half year period at signalized intersections where the cause was specifically attributed to a driver 'disobeying traffic control indications'. Many of such collisions result in significant personal injuries and occasionally death.
- 3.3 As part of our site selection process, staff along with our consultant CIMA+



reviewed data from all 623 signalized intersections across the Region. The project team conducted a total of 296 hours of field observations at 37 signalized intersections. Field studies were conducted at 20 intersections in 2015 and 20 intersections in 2017 with three of the same locations studied in both years. These study locations were chosen based on intersections with a high volume of right-angle crashes reported. During those field studies, 209 drivers were observed running red-lights. Assuming a consistent rate of red-light running across all signalized intersections, this is the equivalent of over one million red-light running events on an annual basis across the Region. All of these events had a statistical probability of resulting in a crash, injury or death.

- 3.4 Red-light camera programs in other jurisdictions have resulted in significant decreases in red-light running and right-angle crashes at signalized intersections.
- 3.5 In some cases, increases in rear-end collisions after the implementation of Red-light Camera programs have been recorded, however, these increases have been temporary.

#### **4. Red-light Camera Operations**

- 4.1 Red-light Cameras have been operational in the Province of Ontario since 1999. Eight municipalities in Ontario (Toronto, Hamilton, Niagara, Halton, Peel, York, London and Ottawa) are currently participating in the program.
- 4.2 Implementation of a red-light camera program in the Region is timely given the Region's recent endorsement of Vision Zero principles, reports of success in other jurisdictions, continued growth with increasing traffic volumes and limited Durham Regional Police Services resources for traditional enforcement. In addition, daily rates for any new sites implemented through the approved vendor will increase by 50 per cent in 2020 and another 50 per cent in 2022 as they approach the end of their existing agreement. Joining the program now will lock in 2019 pricing for the proposed 12 sites until 2022.
- 4.3 The approved vendor, Traffipax LLC, provides a turn-key operation; completes the necessary detail design, supplies, installs the equipment, maintains and operates the system. Images of vehicles that run red-lights are retrieved from the camera and delivered to the Joint Processing Centre (JPC) at the City of Toronto. Provincial Offence Officers at the JPC review the images and determine whether or not to lay a charge.
- 4.4 The Region's residents will be advised in advance of all red-light camera locations

through a public education campaign and advisory signs at every intersection equipped with the technology. The standard red-light camera warning sign (shown in Figure 1) will be installed on all approaches to every intersection before the cameras are installed. A sample public service advisory message that has been used in other Ontario jurisdictions is also shown in Figure 1.



Figure 1 – Red-Light Camera Public Education

- 4.5 The fine for running a red-light in Ontario (issued by a Red-Light Camera or otherwise) is \$325 of which \$60 is allocated to the Provincial Victim Services Fund. After costs are deducted the remaining fine revenue is distributed according to existing agreements. In the Region, court fine revenue for all offences is split between the local area municipality (60 per cent) and the Regional Municipality (40 per cent).
- 4.6 Offence notices are generated and distributed to the registered owner of the vehicle as well as the relevant court by the JPC. As a vehicle-based offence, no demerit points are issued as the driver of the vehicle is not known. To implement the regime, three staff members of the Legal Services Division will be nominated to the Minister of Transportation to serve as Provincial Offence Officers to assist in the administration of the ticket filing portion of the program.
- 5. Red-light Camera Site Selection**
- 5.1 Red-light Camera locations are identified based on a combination of right angle crash experience and the results of red-light running violation studies. Intersections with the greatest frequency of red-light running are not necessarily the locations with the highest frequency of right angle crashes.

5.2 Regional staff worked with the consultant to identify the following list of twelve (12) locations for the installation of red-light cameras:

- Ritson Road at Bond St - Oshawa
- Lake Ridge Rd at Goodwood Rd – Scugog/Uxbridge
- Taunton Rd at Lake Ridge Rd – Whitby/Ajax
- Stevenson Rd at King St - Oshawa
- Simcoe St at Conlin Rd - Oshawa
- Simcoe St at Rossland Rd - Oshawa
- Taunton Rd at Altona Rd - Pickering
- Liverpool Rd at Bayly St - Pickering
- Salem Rd at Bayly St - Ajax
- Thickson Rd at Dundas St - Whitby
- Highway 2 at Courtice Rd - Clarington
- Taunton Rd at Westney Rd - Ajax

5.3 A map showing the proposed twelve (12) locations is included as Attachment 1 to this report. A detailed assessment of each site will be undertaken by the approved vendor to confirm that the installation of a camera at each location is physically possible.

5.4 As the Region gains more experience participating in the program, additional sites can be added as budget and other resources permit. The most opportune time to add additional sites would be in 2022 to coincide with the start of a new contract period with the approved vendor.

## **6. Impact to Court Services**

6.1 Legal Services staff have been working with Works staff on this initiative and are very supportive of the proposed program.

6.2 Currently, all automated enforcement offences in Ontario are processed through the courts as Provincial Offence Notices. This process takes significant resources and correspondingly significant costs.

6.3 In order to manage this workload, it is recommended that Regional Council request that the province permit the use of an Administrative Penalty System (APS) for automated enforcement offences. APS is already used in many jurisdictions (including the City of Oshawa) for parking offences.

## **7. Implementation Timelines**

- 7.1 Red-light Cameras have been operational in the Province of Ontario for almost 20 years. Once all regulatory requirements are in place, there will be no significant barrier for the Region to join the program.
- 7.2 The City of Toronto runs a joint procurement process for Red-light Cameras for all municipalities participating in the program. The current five-year contract was awarded in 2016 and covers operating years 2017 to 2021.
- 7.3 To join the program, the Region is required to enter into agreements with the vendor, Traffipax LLC, the MTO to permit access to the Provincial vehicle ownership database to issue offence notices to the registered owner of vehicles and the City of Toronto (for operation of the Joint Processing Centre).
- 7.4 The equipment vendor designs, supplies, installs, operates, maintains and owns the equipment. Municipalities that joined at the start of the contract term (e.g. 2017 start of operations) pay a lower daily rate for the term of the agreement. As the contract progresses the daily rate for new installations increase as the time remaining for the vendor to recover their capital outlay decreases.
- 7.5 After Regional Council approval, it is estimated that it would take the remainder of 2019 to get the necessary agreements in place with the City of Toronto, Ministry of Transportation – Ontario and the vendor Traffipax.
- 7.6 Once the agreements are in place, design, supply and installation would occur in towards the end of 2019 and early 2020.

## **8. Purchasing By-Law**

- 8.1 The Region's Purchasing By-Law 68-2000 (as amended), in Section 13.0, Cooperative Purchasing establishes the ability to enter into arrangements on a Cooperative basis where there are economic advantages in doing so, provided the method of acquisition and the awarding and reporting process is in accordance with the requirements of the Region's Purchasing By-Law.

- 8.2 The City of Toronto issued Request for Proposal (RFP) #9148-15-5000 for “The Supply, Installation, Operation, and Maintenance of Red-light Camera Systems within the City of Toronto and Other Municipalities within Ontario.” in April of 2015.
- 8.3 The Proposal Evaluation Committee, consisting of representatives from municipalities that were participating in the Red-light Camera program at the time, evaluated the proposals and selected Traffipax LLC as the preferred contractor.
- 8.4 The City of Toronto and all other participating municipalities entered into separate agreements with Traffipax LLC to provide Red-light Camera services for a five year period from 2017 to 2022 with an option to renew for a second five year term.
- 8.5 The City of Toronto RFP did anticipate partnerships with other municipalities participating in the program.

## **9. Financial Implications**

- 9.1 A Red-Light Camera program is being recommended due to non-financial considerations as the anticipated network-wide reduction in collisions aligns with the Region’s Vision Zero objectives.
- 9.2 The cost to operate a Red-Light Camera program includes:
- 1) Cost to design, supply, install, operate and maintain the equipment payable to Traffipax LLC.;
  - 2) Cost to access the MTO vehicle ownership database – payable to MTO;
  - 3) Cost to manage the Joint Processing Centre – payable to City of Toronto;
  - 4) Municipal court costs; and
  - 5) Costs associated with program administration responsibilities such as implementation planning, communications, and collections.
- 9.3 The current contract with Traffipax LLC. includes a daily rate for operations. This daily rate is fixed for a particular site over the duration of the contract. As the contract proceeds, any new sites added are billed at a higher daily rate as the vendor needs to recover their capital outlay for equipment.
- 9.4 MTO charges a per transaction fee each time that the vehicle ownership database is accessed by the Joint Processing Centre. These fees are invoiced directly to the municipality on a quarterly basis. The fee varies depending on the number of charges that are issued. Based on the experience of other comparable municipalities, around \$35,000 in annual MTO charges are expected.

- 9.5 The City of Toronto operates a Red-Light Camera – Joint Processing Centre on behalf of all participating municipalities. City of Toronto Processing Centre staff review the images from each site and determine whether or not charges can be laid. The City of Toronto charges back each municipality on a cost recovery basis. The charge back includes both a portion of fixed costs (for the facility, equipment etc.) and per transaction costs. Joint Processing Centre charges are expected to be approximately \$6,000 annually per camera.
- 9.6 Municipal courts also incur costs to manage the offences and associated disputes. In most cases, the registered owner of the vehicle pays the fine with no contest. In other cases, the registered owner can choose to proceed through an ‘early resolution’ dispute process or can also request a trial. Municipalities currently involved in the Red-light Camera program estimated court costs at approximately \$65 for each offence notice issued.
- 9.7 The fine for a Red-Light Camera offence in the Province of Ontario is \$325 of which \$60 is used to contribute to the Province’s Victim Services Fund. The remaining fine revenue is distributed, net of all costs incurred by the Region, to the local area municipality (60 per cent) and the Regional municipality (40 per cent).
- 9.8 Preliminary estimates of the Region’s costs, assuming December 2019 implementation, and assuming an average of 35 offences per site per month, are provided below in Table 1.

**Table 1: Red-light Camera Expense Estimates**

<b>Regional Expenses</b>	<b>2019 (\$)</b>	<b>2020 (\$)</b>	<b>2021 (\$)</b>
Equipment *	38,000	460,000	460,000
MTO Charges	3,000	35,000	35,000
Joint Processing Centre	6,000	72,000	72,000
Court Costs	<u>0</u>	<u>328,000</u>	<u>328,000</u>
<b>Total Regional Expenses **</b>	<b><u>47,000</u></b>	<b><u>895,000</u></b>	<b><u>895,000</u></b>

Notes:

- \* Equipment costs have been estimated assuming a cost of approximately \$100 per site per day, but the rate remains subject to negotiation.

- \*\* The Region will also hold responsibility for administration related to the program.
- 9.9 All 2019 expenses are to be funded from allowances within the Works Department's 2019 operating budget. Pre-budget approval has been recommended for the annual costs to administer the program, in both 2020 and 2021, in the amount of:
- 1) \$800,000, in both years, for Works Department red-light camera expenses; and,
  - 2) \$350,000, in both years, for Legal Provincial Offences Act red-light camera expenses.
- 9.10 The financial impact of red-light camera implementation in the Region can only be estimated at this time as violation rates, and other factors are unknown. As the program achieves its objectives (i.e., reduces red-light running), fine revenue is expected to decrease while program costs increase or remain fixed.
- 9.11 In 2022, when the proposed equipment vendor agreement will have expired, daily equipment costs could become significantly lower for existing sites but the contractual commitment will be longer.

## **10. Conclusions**

- 10.1 Red-light Cameras have been used successfully in many jurisdictions around the world to reduce red-light running and improve safety;
- 10.2 A project with twelve (12) red-light camera sites is recommended for implementation in late 2019 or 2020.
- 10.3 A move from a Provincial Offences Act process to an Administrative Penalty System process would allow the Regional Municipality of Durham to expand the program at the end of this initial implementation if desired.
- 10.4 This report has been reviewed by Legislative Services, Legal Services, Finance and Durham Regional Police Services and all are in agreement with the recommendations as presented.

10.5 For additional information, contact: Steven Kemp, Manager – Traffic Engineering and Operations, at 905-668-7711, extension 4701.

**11. Attachments**

Attachment #1: Proposed Red-light Camera Locations

Respectfully submitted,

**Original signed by John Presta for**

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Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee







**Original signed by**

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Elaine C. Baxter-Trahair  
Chief Administrative Officer



# Attachment #1 to Report #2019-W-65: Proposed Red Light Camera Locations

- Proposed Red Light Camera Locations
-  Provincial
-  Regional
-  Regional Highway
-  Toll
-  MTO Highway
-  Municipal Road Network

### Posted Speed (km/h)

- 50
- 70
- 60
- 80

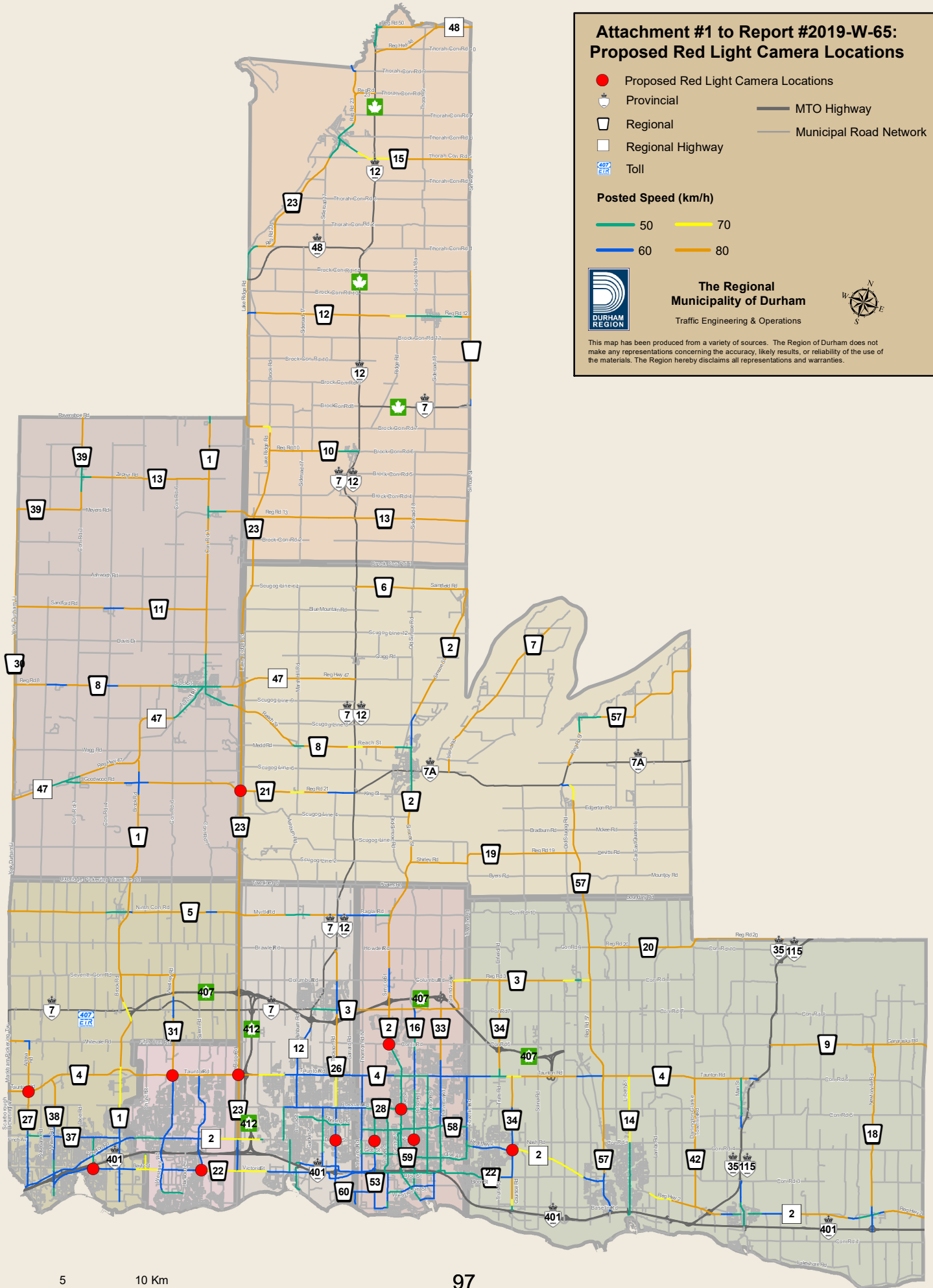


**The Regional  
Municipality of Durham**

Traffic Engineering & Operations



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# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: [#2019-W-66](#)  
Date: September 4, 2019

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**Subject:**

Automated Speed Enforcement Program Implementation

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**Recommendation:**

That the Works Committee recommends to Regional Council:

- A) That the Regional Municipality of Durham proceed with the implementation of an Automated Speed Enforcement program at the twenty-two locations identified in Attachment #1 to reduce operating speeds and improve safety;
- B) That the Commissioner of Works, subject to the concurrence of the Commissioner of Finance and Director of Legal Services, be authorized to negotiate, enter into and execute an agreement with the City of Toronto for Automated Speed Enforcement record processing including the cost sharing of expenses related to the operation of the Joint Processing Centre with all 2019 costs to be funded from allowances within the Works Department's 2019 operating budget and 2020 to 2024 for costs within the 2020 to 2024 Business Plans and Budgets;
- C) That the Commissioner of Works, subject to the concurrence of the Commissioner of Finance and Director of Legal Services, be authorized to negotiate, enter into and execute an agreement with Her Majesty the Queen in Right of Ontario, as represented by the Ministry of Transportation, for the access and use of licence plate registration information with all 2019 costs to be funded from allowances within the Works Department's 2019 operating budget and 2020 to 2024 for costs within the 2020 to 2024 Business Plans and Budgets;

- D) That Regional Council request that the Province of Ontario permit the use of an Administrative Penalty System for offences issued by Automated Speed Enforcement;
- E) That the Commissioner of Finance be authorized to negotiate, enter into and execute a sole source agreement with Redflex Traffic Systems (Canada) Limited (vendor identified through City of Toronto RFP 9148-0048) for the supply, including installation and operation of Automated Speed Enforcement equipment as permitted under Article 13 of the Region's Purchasing By-law 68-2000, as amended.
- F) That the term of the contract with Redflex Traffic Systems (Canada) Limited be for a period of five years and one month commencing December 1, 2019 with an estimated total value of approximately \$2,000,000, excluding taxes, with all 2019 costs to be funded from allowances within the Works Department 2019 operating budget and 2020 to 2024 costs within the 2020 to 2024 Business Plans and Budgets;
- G) That the Commissioner of Works, subject to the concurrence of the Commissioner of Finance and Director of Legal Services be authorized to exercise an option to renew the contract for an additional five years, commencing July 16, 2024, to operate the automated speed enforcement system, subject to budget approval, for an estimated total of approximately \$4,000,000, excluding taxes;
- H) That pre-budget approval be granted for the annual costs to administer the program, in 2020 to 2024, in the amount of:
- a) \$500,000, in all years, for Works Department automated speed enforcement expenses; and,
  - b) \$350,000, in all years, for Legal Provincial Offences Act automated speed enforcement expenses;
- I) That staff report back to the Works Committee with an update on the Automated Speed Enforcement program, including information on speed violations and program expenses and revenues, in fall 2020.
- J) That a copy of this report be forwarded to the Ministry of Transportation – Ontario, the Ministry of the Attorney General – Ontario, all area municipalities and Durham Regional Police Services.

**Report:****1. Purpose**

- 1.1 The purpose of this report is to seek Regional Council authority to proceed with Automated Speed Enforcement technology at twenty-two sites in an effort to reduce operating speeds, reduce collisions and ultimately reduce crash related injury and death as a priority Vision Zero initiative.

**2. Background**

- 2.1 On May 30, 2017, the Legislative Assembly of Ontario passed Bill 65, Safer School Zones Act which amended the Highway Traffic Act (HTA) to authorize the use of Automated Speed Enforcement (ASE) technology in School Zones and Community Safety Zones on roadways with posted speed limits less than 80 kilometres per hour.
- 2.2 On September 11, 2017, Global Traffic Group Ltd. made a presentation to the Durham Regional Police Services Board on Automated Speed Enforcement in School Zones and Community Safety Zones. Global Traffic Group Ltd. is one of several vendors that provide Automated Enforcement technology to agencies across North America. The Board received their presentation and referred it to each area municipality within Durham for consideration.
- 2.3 On April 4, 2018, Committee of the Whole received for information report 2018-INFO-32 Automated Speed Enforcement.
- 2.4 On September 12, 2018, Regional Council provided the following direction to staff:
- “ ... undertake a feasibility study in consultation with Durham Regional Police Services for the implementation of Automated Speed Enforcement (fixed and/or mobile camera installations) in designated Community Safety Zones and School Zones on Regional Roads, as permitted by the Safe School Zones Act, with a view to understanding costs and benefits and establishing potential test sites for 2019 implementation.”

- 2.5 Works Department and Legal Services staff have been participating in an inter-municipal working group that was initiated by the Ontario Traffic Council (OTC) in an effort to establish common operating principles for ASE across the province. Some of the issues under discussion include: i) criteria for site selection; ii) fixed location vs. mobile enforcement; iii) 24/7 or time of day/day of week operations iv) enforcement thresholds; v) common definitions of school zone and community safety zone; vi) technology options; and vii) expected impacts to court services. Similar to Red Light Camera Operations, it is expected that decisions on the operation of ASE will likely be prescribed by the Province through regulations in order to ensure consistency across the province.
- 2.6 Durham Regional Police Services are in support of the proposed implementation of Automated Speed Enforcement in the Region of Durham.

### 3. Speeding

- 3.1 Vehicle operating speeds are a factor in every motor vehicle collision.
- 3.2 Speeding has a direct impact on the consequences of any crash. Speeding also increases the frequency of crashes as decision stopping distance increases proportionately with travel speed.
- 3.3 Vulnerable road users (pedestrians, cyclists and motorcyclists) are particularly impacted by higher collision speeds. Figure 1 below illustrates the relationship between impact speed and survivability for pedestrians:

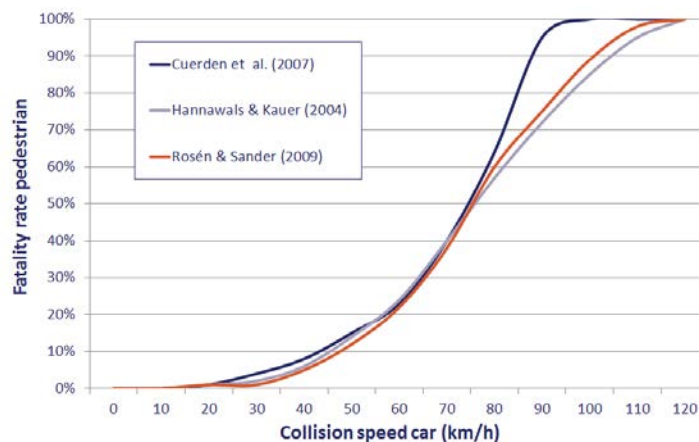


Figure 1 - Impact of Speed on Pedestrian Fatality Rate

3.4 Speeding is the most common traffic complaint received by Durham Regional Police Services and the Works Department Traffic Operations and Engineering Division, particularly around schools, hamlets and seniors' areas. In addition to posing a significant safety issue, speeding through communities negatively impacts the quality of life of residents.

#### **4. Automated Speed Enforcement Operations**

4.1 The Safer School Zones Act (passed in 2017) amended the Highway Traffic Act to permit municipalities to use Automated Enforcement Technology to enforce speed limits on roadways in School Zones and Community Safety Zones where posted speed limits are less than 80 km/hr.

4.2 ASE technology is installed roadside with speed measurement devices and camera technology that can automatically detect the speed of the vehicle, compare that speed to a designated threshold speed, and if necessary take a photograph of the rear licence plate. The installations can be either mobile (e.g. a van or trailer mounted unit) or fixed deployment.

4.3 The images are stored locally in the device and an operator retrieves those images on a regular basis and delivers them to a processing centre. Provincial Offences Officers at the processing centre review the images, determine whether or not to lay a charge, access the Ministry of Transportation – Ontario (MTO) vehicle ownership database and prepare the charging documents that get mailed out to the courts as well as the registered owner of the vehicle identified in the image.

4.4 In the case of mobile ASE, the equipment is regularly moved between sites in an effort to reduce operating speeds across the system.

#### **5. Automated Speed Enforcement Site Selection**

5.1 The Safer School Zones Act specified that ASE could only be used by municipalities in School Zones and Community Safety Zones with posted speed limits less than 80 km/hr.

5.2 There are currently three (3) School Zones and nineteen (19) Community Safety Zones designated on Regional Roads in the Regional Municipality of Durham as shown in Attachments #1A and #1B.

5.3 For the purposes of the initial deployment it is recommended that four permanent sites (with 2 cameras rotated through them) and two mobile ASE devices be rotated through all 22 Community Safety Zones and School Zones on a regular basis subject to detailed design review and assessment of each site by Regional staff with the approved vendor.

## **6. Impact to Legal Services**

6.1 Legal Services staff have been working with Works Department staff on this initiative and are very supportive of the proposed program.

6.2 The volume of speeding offences is expected to be significant (particularly in the initial few months of operation) and therefore there is some concern regarding available court resources to manage the expected demand. Works Department staff and Legal Services staff are working together to ensure that the volume of charges is manageable and that the program will not be put in jeopardy due to lack of court resources to process charges. It is primarily for this reason that staff are proposing to start with a limited number of devices for enforcement operations.

6.3 Currently, all automated enforcement offences in Ontario are processed through the courts as Provincial Offence Notices which requires significant resources.

6.4 In order to manage this workload, it is recommended that Regional Council request that the province permit the use of an Administrative Penalty System (APS) for automated enforcement offences.

## **7. Implementation Timelines**

7.1 The City of Toronto has completed a procurement process for Automated Speed Enforcement operations and Redflex Traffic Systems (Canada) Limited has been identified as the successful vendor. This process was run as a joint effort with multiple municipalities (including the Regional Municipality of Durham) that have expressed an interest in participating in the program.

7.2 The RFP for ASE Operations included a proof of performance phase whereby selected vendors were invited to install and demonstrate their solutions to ensure that they meet operational requirements. These test sites were implemented within the City of Toronto in the Summer of 2019.

7.3 Initial field installations and operations in the Region could start as early as the Fall 2019 with more sites coming online in 2020 and beyond.

## **8. Purchasing By-Law**

- 8.1 The Region's Purchasing By-Law 68-2000 (as amended), Section 13.0, Cooperative Purchasing establishes the ability to enter into arrangements on a Cooperative basis where there are economic advantages in doing so, provided the method of acquisition and the awarding and reporting process is in accordance with the requirements of the Region's Purchasing By-Law.
- 8.2 The City of Toronto issued Request for Proposal No. 9148-10-0048 for "The Supply, Installation, Operation, Maintenance and Decommissioning of Automated Speed Enforcement Systems within the City of Toronto and Other municipalities within Ontario.", in April of 2019.
- 8.3 The Proposal Evaluation Committee, consisting of representatives from municipalities that were participating in the Automated Speed Enforcement Program evaluated the proposals and selected Redflex Traffic Systems (Canada) Limited as the preferred contractor.
- 8.4 The City of Toronto and all other participating municipalities are entering into separate agreements with Redflex Traffic Systems (Canada) Limited to provide Automated Speed Enforcement services for a five-year term from 2020 to 2024 with an option to renew for a second five-year term.
- 8.5 The RFP issued by the City of Toronto generally follows the same procurement process that the Region of Durham would follow if issuing a similar RFP on our own. The City of Toronto RFP did anticipate partnerships with other municipalities participating in the program.

## **9. Financial Implications**

- 9.1 The cost to operate an Automated Speed Enforcement program includes:
- 1) Cost to design, supply, install, operate and maintain the equipment payable to Redflex Traffic Systems (Canada) Limited;
  - 2) Cost to access MTO vehicle ownership database, payable to MTO;
  - 3) Cost to manage the Joint Processing Centre, payable to the City of Toronto;
  - 4) Municipal court costs; and
  - 5) Costs associated with program administration responsibilities such as implementation planning, communications, and collections.



- 9.2 The daily rate for vendor operations is approximately \$100 per device. Initial start-up costs are approximately \$250 for each mobile device and \$32,000 for each permanent device. Additional charges will be incurred each time that a camera has to be relocated between sites. The total estimated vendor cost for an initial 5-year contract period is \$1,250,000 excluding taxes.
- 9.3 MTO charges a per transaction fee every time that their vehicle ownership database is accessed by the Joint Processing Centre. These fees are invoiced directly to the municipality on a quarterly basis. The MTO fee is approximately \$1 per transaction and the total cost will vary depending on the number of charges that are issued. As Automated Speed Enforcement has not yet been deployed in Ontario, violation rates are uncertain and therefore it is difficult to estimate the Region's total fees payable to the Ministry.
- 9.4 The City of Toronto will operate an Automated Speed Enforcement – Joint Processing Centre on behalf of all participating municipalities. City of Toronto Processing Centre staff will review the images from each site and determine whether or not a charge can be laid. The City of Toronto will charge back each municipality on a cost recovery basis. The charge back will include both a portion of fixed costs (for the facility, equipment etc.) and per transaction costs. The City of Toronto has estimated that their per charge unit fee will be \$35. As Automated Speed Enforcement has not yet been deployed in Ontario, violation rates are uncertain and therefore it is difficult to estimate the Region's total fees payable to the City of Toronto.
- 9.5 Municipal courts also incur costs to manage the offences and associated disputes. In most cases, the registered owner of the vehicle pays the fine with no contest. In other cases, the registered owner can choose to proceed through an 'early resolution' dispute process or can also request a trial. Court costs are estimated in the range of \$65 per transaction. As Automated Speed Enforcement has not yet been deployed in Ontario, violation rates are uncertain and therefore it is difficult to estimate the total Region's total court costs.

- 9.6 All 2019 expenses are to be funded from allowances within the Works Department's 2019 operating budget and 2020 to 2024 costs within the 2020-2024 Business Plans and Budgets. Pre-budget approval has been recommended for the annual costs to administer the program over the 2020 to 2024 timeframe, in the amount of:
- a. \$500,000 in all years, for Works Department automated speed enforcement expenses; and,
  - b. \$350,000, in all years, for Legal Provincial Offences Act automated speed enforcement expenses.

- 9.7 The fines for speeding in Ontario are prescribed in the Section 128(14) of the Highway Traffic Act as follows:

Every person who contravenes this section or any by-law or regulation made under this section is guilty of an offence and on conviction is liable, where the rate of speed at which the motor vehicle was driven,

(a) is less than 20 kilometres per hour over the speed limit, to a fine of \$3 for each kilometre per hour that the motor vehicle was driven over the speed limit;

(b) is 20 kilometres per hour or more but less than 30 kilometres per hour over the speed limit, to a fine of \$4.50 for each kilometre per hour that the motor vehicle was driven over the speed limit;

(c) is 30 kilometres per hour or more but less than 50 kilometres per hour over the speed limit, to a fine of \$7 for each kilometre per hour that the motor vehicle was driven over the speed limit; and

Fines in Community Safety Zones and Construction Zones are doubled.

- 9.8 Any fine revenue, net of all costs incurred by the Region is distributed to the local area municipality (60 per cent) and the Regional municipality (40 per cent). If local municipalities endeavor to operate ASE on local municipal roads, the same revenue sharing agreement would be in effect.
- 9.9 Due to uncertainty regarding violation rates, and related program revenues and costs, it has been recommended that staff report back to the Works Committee with an update on the Automated Speed Enforcement project, including information on violations and program expenses and revenues, in fall 2020

**10. Conclusion**

- 10.1 Automated Speed Enforcement has been used successfully in many jurisdictions around the world to reduce operating speeds and improve safety;
- 10.2 A project with 2 mobile ASE units and 2 additional cameras rotated through four permanent locations is recommended for implementation in 2020. The estimated cost of implementation is \$550,000 annually.
- 10.3 A move from a Provincial Offences Act process to an Administrative Penalty System process would allow the Regional Municipality of Durham to expand the program at the end of the project if desired.
- 10.4 This report has been reviewed by Legislative Services, Legal Services, Finance and Durham Regional Police Services and all are in agreement with the recommendations as presented.
- 10.5 For additional information, contact: Steven Kemp, Manager, Traffic Engineering and Operations, at 905-668-7711, extension 4701.

**11. Attachments**

Attachment #1: Candidate Automated Enforcement Sites (School Zones and Community Safety Zones)

Respectfully submitted,

**Original signed by John Presta for**

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Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by**

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Elaine C. Baxter-Trahair  
Chief Administrative Officer

School Zones		Regional Road #
#	School Name	27
2	Elizabeth B Phin Public School - Pickering	37
3	St. Issac Jogues Catholic School - Pickering	

Community Safety Zones			Regional Road #
#	Area Name		38
4	St. Mary High School - Pickering		5
5	Claremont Public School - Pickering		22
6	Ajax High School - Ajax		4
7	Sinclair Secondary School - Whitby		36
8	Anderson Collegiate Vocational Institute - Whitby		28
9	Paul Dwyer High School - Oshawa		53
10	Adelaide McLaughlin Public School - Oshawa		2
11	St. Stephen's United Church - Oshawa		2
12	UOIT/Durham College - Oshawa		2
13	SJ Phillips Public School - Oshawa		16
14	Beau Valley Public School - Oshawa		33
15	Vincent Massey Public School - Oshawa		58
16	Eastdale Collegiate Vocational Institute - Oshawa		
17	Courtice Downtown - Clarington		14
18	Bowmanville High School - Clarington		

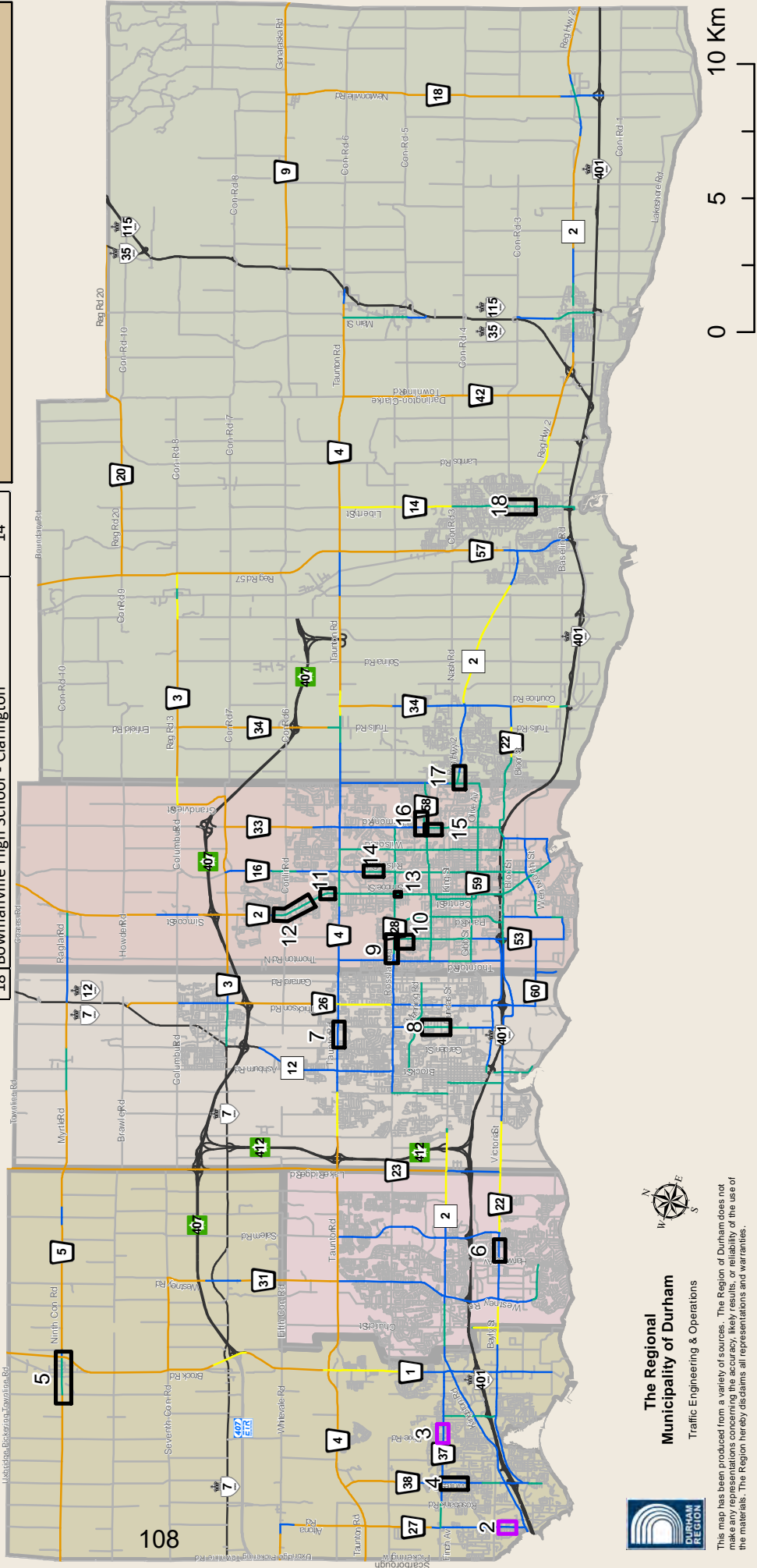
**Attachment #1 to Report #2019-W-66 :  
School Zones and Community Safety Zones in  
Southern Durham Region Municipalities**

- School Area (50 km/hr while signals flashing)
- Community Safety Zone

- Provincial
- MTO Highway
- Regional
- Municipal Road Network
- Regional Highway
- Toll

**Posted Speed (km/h)**

- 50
- 60
- 70
- 80



**The Regional  
Municipality of Durham**  
Traffic Engineering & Operations



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**Attachment #1 to Report #2019-W-66:  
School Zones and Community Safety Zones  
in Northern Durham Region Townships**

**Legend**

- School Area (50 km/hr while signals flashing)
- Community Safety Zone
- Provincial
- Regional
- Regional Highway
- Toll
- MTO Highway
- Municipal Road Network

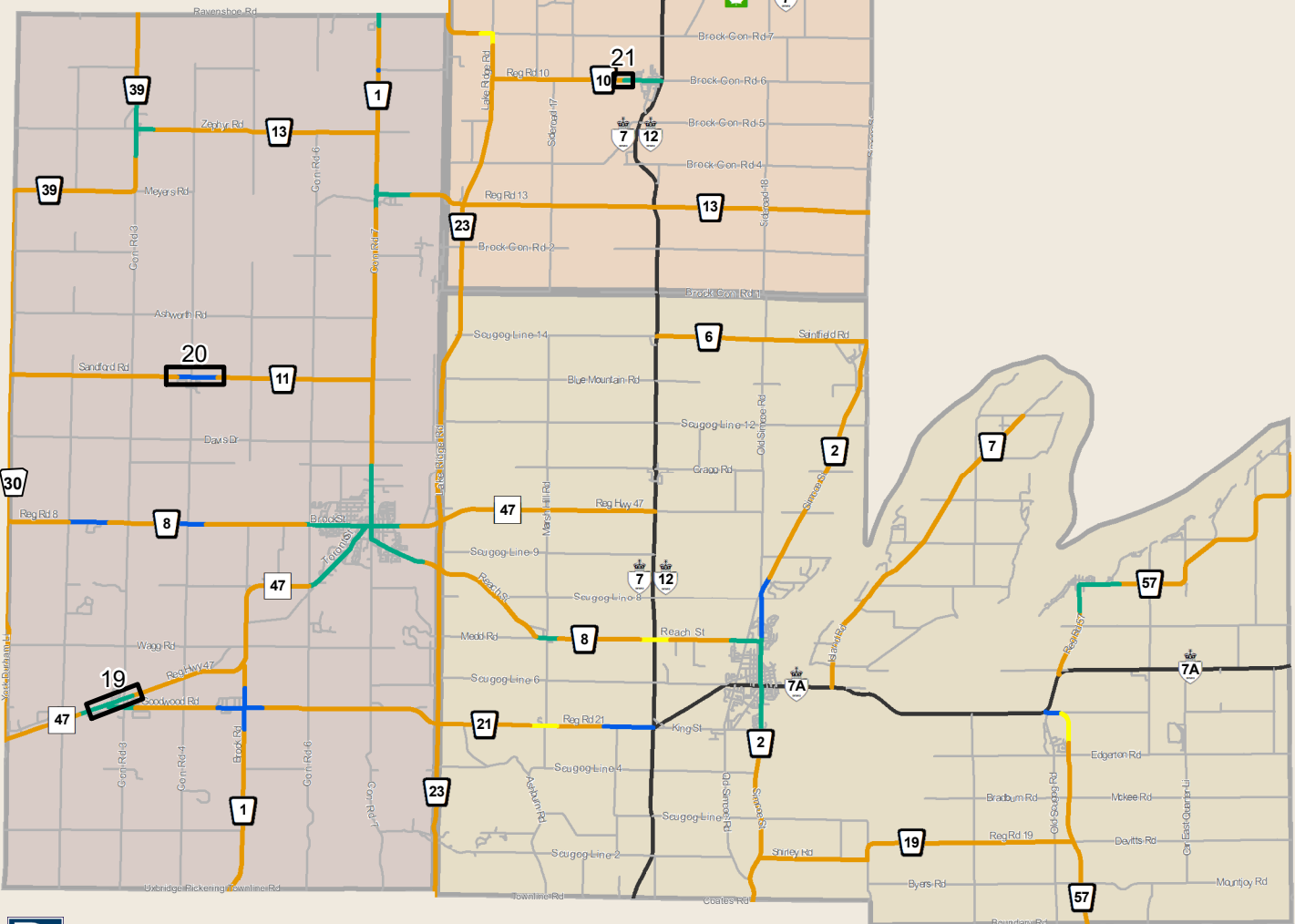
**Posted Speed (km/h)**

- 50
- 70
- 60
- 80

School Zones		Regional Road #
#	School Name	
1	Brock High School - Brock	12

Community Safety Zones		Regional Road #
#	Area Name	
19	Goodwood Community Centre - Uxbridge	47
20	Sandford Scott Central Public School - Uxbridge	11
21	Sunderland Hamlet - Brock	10
22	Cannington Brock Town Hall - Brock	12



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