



The Regional Municipality of Durham

Works Committee Agenda

Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Wednesday, December 4, 2019

9:30 AM

1. Declarations of Interest

2. Adoption of Minutes

A) Works Committee meeting – [November 6, 2019](#)

Pages 6 - 21

3. Statutory Public Meetings

There are no statutory public meetings

4. Delegations

4.1 George Rocoski, Energy from Waste-Waste Management Advisory Committee (EFW-WMAC) Chair, re: EFW-WMAC Annual Report

4.2 Wendy Bracken, Clarington Resident, re: the AMESA Long-Term Sampling System

5. Presentations

5.1 John Presta, Director, Environmental Services, re: Works Department – 2020 Water Supply and Sanitary Sewerage Business Plans and Budgets (2019-W-98) [Item 7.2 L]

6. Waste

6.1 Correspondence

A) [Correspondence dated October 31, 2019 from the Town of Whitby, re: Single Use Recyclables](#)

22 - 23

Recommendation: Refer to staff for consideration

6.2 Reports

- A) Award of Request for Proposal #528-2019 for Consulting Services to Conduct the Annual Environmental Monitoring Programs at the Regional Municipality of Durham's Seven Landfill Sites and the Durham York Energy Centre for Reporting Years 2020, 2021, and 2022 (2019-WR-12) 24 - 27
- B) Award of Request for Proposal #1080-2019 Consulting Services for the Development of a New Long-Term Waste Management Master Plan 2021-2040 for the Regional Municipality of Durham (2019-WR-13) 28 - 30

7. Works

7.1 Correspondence

- A) [Correspondence dated October 31, 2019 from the Town of Whitby, re: The Town of Whitby's Road Rationalization Resolution](#) 31 - 41
Recommendation: Refer to staff for consideration
- B) Email Correspondence dated November 8, 2019 from Linda Gasser, re: a series of articles in the Toronto Star and other publications nationally up to November 8, 2019, on lead being found in water; requesting staff for an update on Durham's related lead programs; and the revised lead sampling protocol. A copy of the correspondence will be retained in Legislative Services.
Recommendation: Refer to the consideration of Report #2019-W-97
- C) Email Correspondence dated November 16, 2019 from Linda Gasser, re: requesting Council to direct the Works Department and the Medical Officer of Health to investigate best practices around water sampling with the objective to get a more accurate depiction of the lead that residents are exposed to; and that the Works Department provide an inventory of municipal lead service connections, and a preliminary estimate of private properties likely to have lead in their water supply based on age, with an enhanced regional sampling program targeting these buildings as a priority. A copy of the correspondence will be retained in Legislative Services.
Recommendation: Refer to the consideration of Report #2019-W-97

7.2 Reports

- A) Acquisition of Land Required for the Construction of a Sanitary Sewer and Watermain North/South of Rossland Road and West of Des Newman Boulevard, in the Town of Whitby (2019-W-86) 42 - 45
- B) Sole Source Award and Approval for the Unbudgeted Capital Purchase of a Xylem Pump for the Harmony Creek Sanitary Sewage Pumping Station, in the City of Oshawa (2019-W-88) 46 - 48
- C) Additional Information Regarding Imposition of a Maximum Chargeable Frontage Length for Sanitary Sewer and Water Supply Petition Projects (2019-W-89) 49 - 56
- D) Amendment and Extension of Lease for Premises with 1513072 Ontario Inc. at 234 King Street East, in the Municipality of Clarington for the Regional Municipality of Durham Social Services Department (2019-W-90) 57 - 59
- E) Award of Request for Proposal #1006-2019 for Engineering Services to Undertake the Detailed Design for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection, in the City of Oshawa and Expropriation of Lands Required for the Project (2019-W-91) 60 - 69
- F) Approval to Award a Sole Source Agreement for Annual Vehicle Hoist Inspection and Periodic Preventative Maintenance of Stertil Koni Vehicle Hoists in Use at the Durham Region Transit Facilities (2019-W-92) 70 - 72
- G) Amendments to Regional Traffic and Parking By-Law #44-2006 (2019-W-93) 73 - 86
- H) Sole Source Engineering Services Agreement for the Class Environmental Assessment and Preliminary Design of Bloor Street East (Regional Road 22) from East of Harmony Road South (Regional Road 33) to Grandview Street South, in the City of Oshawa (2019-W-94) 87 - 92
- I) Approval of Pre-Qualified Consultants resulting from Pre-Qualification #1002-2019 for Consulting Services for Preliminary and Detailed Design of Segments of Whites Road (Regional Road 38), from Finch Avenue (Regional Road 37) to Taunton Road (Regional Road 4), in the City of Pickering (2019-W-95) 93 - 98

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|----|---|-----------|
| J) | Class Environmental Assessment to Assess Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant – Minister of the Environment Conservation and Parks Decision (2019-W-96) | 99 - 103 |
| K) | Lead Water Service Replacement and Lead Monitoring Programs – The Regional Municipality of Durham (2019-W-97) | 104 - 109 |
| L) | Works Department – 2020 Water Supply and Sanitary Sewerage Business Plans and Budgets (2019-W-98) | 110 - 117 |
| | Link to the 2020 Works Department Detailed Business Plans and Budgets for the Water Supply and Sanitary Sewerage Systems | |
| M) | Extension of the York Durham Sewage System Operating Agreement (2019-W-99) | 118 - 121 |

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 – Litigation or Potential Litigation, including matters before Administrative Tribunals, affecting the Regional Corporation, with Respect to Settlement Agreement for a Claim under Section 1(1) of the Expropriations Act, R.S.O. 1990, c. E.26, Related to the Replacement of Watermains and Sanitary Sewers and the Construction of a Cycle Track on Athol Street East, in the City of Oshawa (2019-W-87)

Under Separate Cover

10. Other Business

11. Date of Next Meeting

Wednesday, January 8, 2020 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, November 6, 2019

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

Present: Councillor Mitchell, Chair
Councillor Barton
Councillor Crawford
Councillor McLean
Councillor John Neal
Councillor Smith
Regional Chair Henry

Also

Present: Councillor Collier

Absent: Councillor Marimpietri, Vice-Chair, was absent due to municipal business

Staff

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

1. **Declarations of Interest**

There were no declarations of interest.

2. Adoption of Minutes

Moved by Councillor Smith, Seconded by Councillor Barton,
(145) That the Regular Works Committee meeting minutes held on October 2, 2019, be adopted.

CARRIED AS AMENDED
(See Following Motion)

Moved by Councillor Crawford, Seconded by Councillor Barton,
(146) That the 2nd paragraph on page 4 of the October 2, 2019 Works minutes, under Item 7.2 B): Report #2019-W-70 – Options for Redistribution of Frontage Charges for a Watermain on Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax, be amended in its entirety, so that it now reads as follows:

‘Councillor Collier noted that when it comes to residential lots, there is no threshold specified in the Regional By-Law #89-2003 to calculate frontage charges. The only threshold specified is for agriculture. Since the Region’s By-law is silent for residential lots, he stated that O. Reg 586/06, s.16 (4)(b) must be followed which states: if the matter is not dealt with by by-law, 30 metres shall be used as the threshold. Legal staff confirmed that if a Regional by-law is silent, the Ontario Regulation would prevail. In response to Councillor Collier’s question regarding re-petitioning, staff indicated that they would not recommend taking this action.’

CARRIED

Moved by Councillor McLean, Seconded by Councillor Smith,
(147) That the Closed Works Committee meeting minutes held on October 2, 2019 be adopted.

CARRIED

3. Statutory Public Meetings

There were no statutory public meetings.

4. Delegations

There were no delegations to be heard.

5. Presentations

There were no presentations to be heard.

6. Waste

6.1 Correspondence

A) Correspondence dated September 18, 2019 from the Town of Ajax, re: Single-Use Plastics Ban

Discussion ensued regarding the intent of the Town of Ajax's resolution with respect to the single-use plastics ban at their facilities and buildings.

A question was raised with respect to what the Region of Durham is currently doing to ban single-use plastics. S. Siopis advised that the use of eco-containers, and proper re-useable cutlery, have been implemented at Regional Headquarters. She also advised that the Region is looking to host a meeting of the waste staff from the local area municipalities to discuss the topic of a single-use plastics ban, to develop a program that is comparable, implementable, and practical.

Moved by Councillor McLean, Seconded by Councillor Barton,
(148) That correspondence dated September 18, 2019 from the Town of Ajax, re: Single-Use Plastics Ban, be received for information.

CARRIED

Moved by Councillor John Neal, Seconded by Councillor Crawford,
(149) That staff be directed to report back to the Works Committee with respect to establishing a policy regarding eliminating single-use plastics, in consultation with Durham's local area municipalities.

CARRIED

6.2 Reports

There were no Waste Reports to consider.

7. Works

7.1 Correspondence

A) Correspondence dated September 27, 2019 from the Town of Whitby, re: Thickson Road Beautification

Moved by Regional Chair Henry, Seconded by Councillor Crawford,
(150) That correspondence dated September 27, 2019 from the Town of Whitby, re: Thickson Road Beautification, be referred to staff for consideration.

CARRIED

B) Correspondence dated October 24, 2019 from the City of Oshawa, re: Establishment of new Community Safety Zones and Speed Reduction

Moved by Regional Chair Henry, Seconded by Councillor Crawford,
(151) That correspondence dated October 24, 2019 from the City of Oshawa,
re: Establishment of new Community Safety Zones and Speed Reduction,
be referred to staff for consideration.

CARRIED

7.2 Reports

A) Acquisition of Property Required for the Victoria/Bloor Street (Regional Road 22) Rehabilitation Project, in the City of Oshawa and Town of Whitby (2019-W-75)

Report #2019-W-75 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith,
(152) That we recommend to Council:

A) That the purchase agreement for the Victoria/Bloor Street Rehabilitation Project be approved:

938255 Ontario Inc.	747 Bloor Street West	\$59,400
	Part of Lot 16, Broken Front Concession City of Oshawa	

B) That financing for the acquisition be provided from the funds allocated in the approved project budget; and

C) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.

CARRIED

B) Expropriation of Lands Required for Road Improvements in Connection with the Durham Live Development, in the City of Pickering (2019-W-76)

Report #2019-W-76 from S. Siopis, Commissioner of Works, was received.

Detailed discussion ensued regarding the timelines for the construction of the road improvements required as part of the Durham Live Development, as the soft opening is March 2020; how the process can be expedited; and why a roads project is not required to be completed before a hold is lifted.

S. Siopis advised that Regional staff have started negotiations with the five local landowners and that if a negotiation with a landowner is unsuccessful, the Region can consider the option to commence the expropriation process.

Moved by Councillor McLean, Seconded by Councillor Smith,
(153) That we recommend to Council:

- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings, if necessary, where negotiations are unsuccessful with respect to the acquisition of property for the construction of road improvements required as part of the Durham Live Development on Regional Road 1 (Brock Road) and Regional Road 22 (Bayly Street), in the City of Pickering as are generally depicted in Attachment # 1 of Report #2019-W-76 of the Commissioner of Works, and for such other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the Project;
- B) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirement as described in Recommendation A) of Report #2019-W-76, and to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearings to present the Regional Municipality of Durham's position, and to report the Inquiry Officer's recommendations to Regional Council for its consideration;
- C) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26 to give effect to Recommendation B) of Report #2019-W-76, including the Notices of Application of Approval to Expropriate;
- D) That all agreements and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act R.S.O. 1990, c. E.26 related to the acquisition of property for the construction of road improvements required as part of the Durham Live Development on Regional Road 1 (Brock Road) and Regional Road 22 (Bayly Street), in the City of Pickering remain confidential in accordance with Section 239 (2)(c) of the Municipal Act as it relates to a proposed or pending acquisition or disposition of land for Regional Corporation purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a complete and full and final basis; and
- E) That the Regional Municipality of Durham enter into an agreement with Pickering Developments (401) Inc. and Pickering Developments (Bayly) Inc. and any other party as may be required or appropriate, for full cost recovery related to the acquisition or expropriation of lands required in connection with Durham Live Development, and that Pickering Developments (401) Inc. and Pickering Developments (Bayly) Inc. and any other party as may be added to the agreement, post security in favour of the Regional Municipality

of Durham in an amount as determined by the Regional Municipality of Durham to cover the costs of the acquisitions and/or expropriations.

CARRIED

- C) Lease Agreement to Use a Portion of Metrolinx Parking Lot at the Ajax GO Station for Additional Bus Parking at O'Brien Court in the Town of Ajax for Durham Region Transit (2019-W-77)
-

Report #2019-W-77 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith,
(154) That we recommend to Council:

- A) That a lease agreement with Metrolinx for 2,509.05 square metres (0.62 acres) of required parking space, being part of the overall parent parcel area being 14,528.21 square metres (3.59 acres) at O'Brien Court, in the Town of Ajax, to accommodate Bus Parking for Durham Region Transit be approved with the following terms and conditions:
- i) The term is for a period of five years commencing August 1, 2019, ending July 31, 2024, with an option to extend for an additional two years subject to the rental rate being negotiated;
 - ii) The annual rental rate for the five-year period of the agreement is \$38,703* based on an internal evaluation;
 - iii) The Regional Municipality of Durham is responsible for snow removal of the licensed area;
 - iv) Metrolinx is responsible for any adjacent grass-cutting and lighting of the lot; 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

- D) Lease with Ivanhoe Cambridge II Inc. and 7503067 Canada Inc. for the Regional Municipality of Durham Health Department at 419 King Street East, in the City of Oshawa (2019-W-78)
-

Report #2019-W-78 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith,
(155) That we recommend to Council:

- A) That the lease with Ivanhoe Cambridge II Inc and 7503067 Canada Inc. for 235.88 square metres (2,539 square feet) of office space, being part of the building located at 419 King Street East, in the City of Oshawa be approved with the following terms and conditions:
- i) The term is for a period of five years commencing November 1, 2019 and ending October 31, 2024;
 - ii) The annual rental rate for the first three-years of the lease is \$34,276.50* based on a rate of \$145.31* per square metre (\$13.50* per square foot); the annual rate for the fourth and fifth years of the lease is \$35,546.00* based on a rate of \$150.69* per square metre (\$14.00* per square foot);
 - iii) The Region 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

CARRIED

- E) Lease Agreement with the Durham District School Board for Use of the Regionally Owned Premises Located within the Main Tract of the Durham Regional Forest, in the Township of Uxbridge (2019-W-79)

Report #2019-W-79 from S. Siopis, Commissioner of Works, was received.

Discussion ensued with respect to possible options on how to better utilize the space of the Regionally owned premises located within the main tract of the Durham Regional Forest, in the Township of Uxbridge; and whether co-location with other Uxbridge camps would be a possibility.

Staff advised that they are undertaking work to deal with some of the parking pressures including looking to demolish a residential property because of its condition, to be used as potential parking spaces and washroom facilities. Staff also advised that they are working with the Lake Simcoe Region Conservation Authority to bring more facilities to this area of the forest.

Moved by Councillor McLean, Seconded by Councillor Smith,
(156) That we recommend to Council:

- A) That the Regional Municipality of Durham enter into a new lease agreement with the Durham District School Board for their use of approximately 2.02 hectares (5 acres) including existing buildings in the Main Tract of the Durham Regional Forest, in the Township of Uxbridge, on the following terms and conditions:
- i) The annual rent is a nominal sum (\$2.00);
 - ii) The term to be for a period of five years commencing January 1, 2019, and ending on December 31, 2023, together with an option to renew under the same terms and conditions for a further period of five years;
 - iii) The Durham District School Board be responsible for the cost of all maintenance and repairs of the buildings, including items of a capital nature, together with all operating costs including utilities, any applicable taxes and the cost of snow removal; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease Agreement.

CARRIED AS AMENDED
(See Following Motion)

Moved by Councillor Barton, Seconded by Councillor Smith,
(157) That the main motion (156) of Councillors McLean and Smith be amended to add the following as a new Part C):

And further:

- 'C) That a meeting be arranged between the Township of Uxbridge, representatives from the Durham District School Board (DDSB), and Durham staff, to address concerns with respect to the possible underutilization of the regionally owned property, and that staff subsequently be directed to prepare a memorandum for Regional Council with the outcome of that discussion.'

CARRIED

The main motion (156) of Councillors McLean and Smith was then put to a vote and CARRIED AS AMENDED.

- F) Increase in the Regional Municipality of Durham's Share for the Existing Servicing Agreement with Medallion Developments (Harmony) Limited for the Extension and Oversizing of a Trunk Sanitary Sewer and the Construction of Pedestrian Facilities on Harmony Road (Regional Road 33), in the City of Oshawa (2019-W-80)
-

Report #2019-W-80 from S. Siopis, Commissioner of Works, was received.

Councillor John Neal asked staff how the bus stops at these locations would be managed when there are no bus stop platforms anymore on the side of the road. Chair Mitchell advised that his question would be forwarded to Durham Region Transit (DRT) staff and communicated back to Councillor John Neal directly.

Staff responded to questions regarding the proposed pedestrian facilities to service local schools, as referenced in Section 3.4 of Report #2019-W-80 of the Commissioner of Works.

Moved by Councillor McLean, Seconded by Councillor Smith,
(158) That we recommend to Council:

- A) That an increase in the Regional Municipality of Durham's Share in the amount of \$752,400 be approved for the existing Servicing Agreement with Medallion Developments (Harmony) Limited for the extension and oversizing of a trunk sanitary sewer and the construction of Pedestrian Facilities on Harmony Road (Regional Road 33), in the City of Oshawa, at a new estimated total Regional Municipality of Durham Share of \$2,301,600;
- B) That financing for the increase in the Regional Municipality of Durham's Share for the Sanitary Sewerage Component of the Servicing Agreement be provided from the following Regional sources:

Regional Costs – Sanitary Sewer

2019 Sanitary Sewerage System Capital Budget

Item #142 – Allowance for Regional Share for works in conjunction with residential subdivision development (M1910)

Residential Development Charge Reserve Fund	\$533,057
Commercial Development Charge Reserve Fund	\$33,226
User Rate	<u>\$156,017</u>

Total Regional Share – Sanitary Sewer **\$722,300**

- C) That financing for the increase in Regional Municipality of Durham's Share for the Regional Road Component of the Servicing Agreement be provided from the following Regional sources:

Regional Costs – Roads

2019 Capital Road Program

Item #78 – Harmony Road from Coldstream to Conlin (R1723)

Residential Development Charges	\$23,066
Commercial Development Charges	\$2,693
Roads Capital Reserve	\$4,341
Total Regional Share – Roads	\$30,100
Total Increase in Regional Share	<u>\$752,400</u>
Total City of Oshawa's Share – Roads	<u>\$115,500</u>

- D) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.

CARRIED

- G) Approval of Request for Pre-Qualification RFPQ #1065-2019 of General Contractors for the Construction of the Seaton Zone 4 Water Reservoir and Zone 5 Pumping Station in the City of Pickering (2019-W-81)
-

Report #2019-W-81 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith,
(159) That we recommend to Council:

- A) That in accordance with Request for Pre-Qualification RFPQ# 1065-2019, the following general contractors be pre-qualified for the tendering of the construction of the Seaton Zone 4 Reservoir and Zone 5 Pumping Station in the City of Pickering:

- Graham Construction and Engineering LP
- Kenaidan Contracting Ltd.
- Maple Reinders Constructors Ltd.
- Matheson Constructors Ltd.
- North America Construction (1993) Ltd.
- Peak Engineering and Construction Ltd.

- B) That the tender documents for the construction of the Seaton Zone 4 Reservoir and Zone 5 Pumping Station Tender (D2019-050) be issued only to the above noted general contractors.

CARRIED

- H) Sole Source Award to ASL Roteq Ltd. and Approval for Unbudgeted Capital to Undertake Detailed Design and Construction for the Replacement of Pump #1

and Pump #3 and the Supply of a Spare Pump at the Madawaska Sanitary Sewage Pumping Station, in the City of Oshawa (2019-W-82)

Report #2019-W-82 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (160) That we recommend to Council:

- A) That unbudgeted capital work in the amount of \$200,000 to undertake the detailed design and construction for replacement of Pump #1 and Pump #3 and the supply of a spare pump at the Madawaska Sanitary Sewage Pumping Station (SSPS), located at 239 Madawaska Ave, in the City of Oshawa be approved;
- B) That the Regional Municipality of Durham enter into a sole source agreement with ASL Roteq Ltd., for the supply of Grundfos pumps for the Madawaska Sanitary Sewage Pumping Station in the City of Oshawa at an upset limit of \$73,000; and
- C) That financing in the amount of \$200,000 for the detailed design, construction and supply of the proposed pump replacements be provided as follows:

2019 Sanitary Sewerage Capital Budget

Item #11E Municipality of Clarington Road Program (C1999)	
User Revenue	\$68,990
Item 14 Works to rectify identified system deficiencies independent of road programs in various locations (M1999) User Revenue	<u>\$131,010</u>
Total Financing	<u>\$200,000</u>

CARRIED

- I) Reallocation of Funding for Construction of the Church Street Sanitary Sewer from Harrisview Street to Hurst Drive, in the Town of Ajax (2019-W-83)

Report #2019-W-83 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (161) That we recommend to Council:

That financing of additional commitments for the Church Street Sanitary Sewer (Project A1704) in the amount of \$400,000 be provided from the 2019 Sanitary Sewerage System Budget Item 75, Foster Creek Trunk Sanitary Sewer on Sunset

Boulevard/Lakeview Road from Rudell Road to Church Street, Newcastle (Project C1002) as follows:

Financing	Approved Project Budget \$	Proposed Reallocation from C1002 \$	Revised Project Budget \$
Residential Development Charges	482,950	295,200	778,150
Commercial Development Charges	37,700	18,400	56,100
Industrial Development Charges	124,150	-	124,150
User Revenue	5,200	86,400	91,600
Total Financing (A1704)	<u>650,000</u>	<u>400,000</u>	<u>1,050,000</u>

CARRIED

- J) Award of Request for Proposal #1078-2019 for Engineering Services for the Detailed Design for the Rehabilitation of Bowmanville Avenue (Regional Road 57) and the Rehabilitation of Robins Bridge and Two (2) Culverts, in the Municipality of Clarington (2019-W-84)
-

Report #2019-W-84 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith, (162) That we recommend to Council:

- A) That Request for Proposal #1078-2019 be awarded to CIMA Canada Inc. to provide engineering services for the detailed design for the rehabilitation of Bowmanville Avenue (Regional Road 57) and the rehabilitation of Robins Bridge and two culverts, in the Municipality of Clarington. The total upset limit not to exceed \$309,960* to be funded from the approved project budget of \$422,000; and
- B) That the Commissioner of Finance be authorized to execute the professional services agreement.
(*) includes disbursements and are before applicable taxes

CARRIED

- K) Sole Source Award to CIMA Canada Inc. and Approval for Unbudgeted Capital to Undertake Detailed Design of Pump Replacement at the Taunton Road Water Pumping Station Located on Grandview Street North in the City of Oshawa for Interim Capacity Increase to the Zone 4 Water Supply Service Area (2019-W-85)
-

Report #2019-W-85 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Councillor Smith,
(163) That we recommend to Council:

- A) That approval be granted for unbudgeted capital work in the amount of \$250,000 to undertake the detailed design to replace two existing pumps at the Taunton Road Water Pumping Station to provide an interim capacity increase to the Zone 4 water supply;
- B) That the Regional Municipality of Durham enter into a sole source engineering services agreement with CIMA Canada Inc. for the detailed design of the pump replacement at the Taunton Road Water Pumping Station located on Grandview Street North in the City of Oshawa for Interim Capacity Increase to the Zone 4 Water Supply Service Area at an upset limit not to exceed \$250,000; and
- C) That financing in the amount of \$250,000 for the detailed design of the new pumps and appurtenances be provided as follows:

2019 Water Supply System Capital Budget

Item 157 – Proposed Zone 4 Pumping Station at Harmony Road Reservoir, Oshawa (Project D1507)

Residential Development Charges	\$189,750
Commercial Development Charges	4,775
User Revenue	<u>55,475</u>

Total Financing **\$250,000**
CARRIED

8. Advisory Committee Resolutions

There were no advisory committee resolutions to be considered.

9. Confidential Matters

9.1 Reports

- A) Confidential Report of the Commissioner of Works – Acquisition or Disposition of Land for Regional Corporation Purposes with Respect to the Purchase of Lands Required for the Bus Rapid Transit Project, in the City of Pickering (2019-W-74)

Confidential Report #2019-W-74 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Barton, Seconded by Councillor McLean,
(164) That we recommend to Council:

That the recommendations contained in Confidential Report #2019-W-74 of the
Commissioner of Works, be adopted.

CARRIED

10. Other Business

10.1 Lead in Tap Water

Councillor John Neal raised a concern from a Durham resident regarding the
recent media articles with respect to ongoing investigative reporting around lead
being found in tap water, and how the Region would be addressing this issue.

S. Siopis informed the Committee that the Region of Durham has active lead
sampling programs and active replacement programs currently in place. She
noted that as a result of the recent news articles there has been no influx of calls
or concerns regarding finding lead in tap water, as Durham's programs are well
established.

Moved by Councillor John Neal, Seconded by Regional Chair Henry,
(165) That staff be directed to bring forward a memorandum to the Works
Committee outlining the Region's lead service replacement program and
active lead sampling program.

CARRIED

10.2 2018 Municipal Benchmarking Data

Councillor John Neal raised a concern from a Durham resident regarding the
2018 municipal benchmarking data that was recently released and asked for staff
comments. S. Siopis advised that staff would look further into this item and report
back to the Committee.

Moved by Councillor John Neal, Seconded by Councillor Smith,
(166) That staff be given time to analyze the 2018 municipal benchmarking data
along with the residents' concerns and report back to the Works
Committee.

CARRIED

10.3 Cross Connection Control Survey, in the Township of Brock

Councillor Smith brought forward a question from a local church in the Township
of Brock, with respect to a Cross Connection Control Survey they received from
the Works Department and questioned what was involved. He asked whether the
survey would be an information gathering process or if there would be action
required from the church.

S. Siopis asked that Councillor Smith provide her with more details regarding the survey that the church received, and she would follow up with him directly.

10.4 Clear Garbage Bags

Discussion ensued with respect to the success that Kawartha Lakes has had with using clear garbage bags, and whether Durham Region would be giving a second thought on a similar policy.

M. Januszkiewicz advised that that Extended Producer Responsibility (EPR) would be implemented in 3 years and she will be bringing forward a report in January/February 2020 with more details.

10.5 Use of Sodium Chloride Brine on Regional Roads

A question was raised regarding the effect the sodium chloride brine that is applied to the roads, has on resident and fleet vehicles during the wintertime. S. Siopis advised that because of the brine being applied to the roadways prior to a snow fall, less salt is being used which is a positive. She also advised that applying brine to the roadways is hugely beneficial when it comes to safety as it helps to reduce ice formation on the roadways.

10.6 Roadwork for the Wynfield Long-Term Care Facility Expansion

In response to a question, staff advised that a right in off Ritson Road and Coldstream Drive for the Wynfield Long-Term Care Facility can be accommodated, but the additional roadwork is the responsibility of the City of Oshawa and the developer.

11. Date of Next Meeting

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

12. Adjournment

Moved by Councillor McLean, Seconded by Councillor Barton,
(167) That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:21 AM

Respectfully submitted,

D. Mitchell, Chair

S. Penak, Committee Clerk



Town of Whitby
Office of the Town Clerk
575 Rossland Road East, Whitby, ON L1N 2M8
www.whitby.ca

October 31, 2019

Re: Single Use Recyclables

Please be advised that at a meeting held on October 28, 2019, the Council of the Town of Whitby adopted the following as Resolution # 306-19

Whereas in June 2019 the Government of Canada announced the ban of single-use plastics that cause harm by 2021 and efforts to develop consistent Extended Producer Responsibility (EPR) programs across Canada;

Whereas in 2016 the Province of Ontario promulgated the Resource Recovery and Circular Economy Act (RRCEA);

Whereas the RRCEA contains provisions to require the producers of packaging to reduce the generation of plastic waste, promote better types of plastics, encourage the use of more sustainable alternatives to single-use plastics and to ban the use of unnecessary plastic packaging;

Whereas in fall of 2019 the Minister of MECP instructed both SO and RPRA to move towards wind down the Blue Box Program Plan for a full EPR program, to be implemented starting January 1, 2023;

Whereas the Province is engaging AMO, municipalities, producers and other stakeholders, in a consultation process to finalize the new Blue Box EPR regulation by summer of 2020; and,

Whereas Council, at its September 23, 2019 Council meeting, requested Staff to report back with a phased in plan to ban single use plastics in Q1 2020, which will include an evaluation of the use of single-use plastics in Town of Whitby facilities and Town sponsored community events, and the legal standing of the Town to impose such a ban on businesses.

Therefore, be it resolved that Council of Town of Whitby directs staff to:

1. Work in collaboration with the Region of Durham to ensure that all consumer packaging, including coffee pods and single use plastics, are covered by the new Blue Box EPR regulation;
2. Ensure the new Blue Box EPR system consider all residents living within the Town of Whitby, including those in multi-residential homes, have access to the new BB program established through the new EPR regulation;
3. Invite Regional staff to provide a presentation to the Council of the Town of Whitby outlining the planned timelines and implementation of the various EPR programs and their impact to the Region; and,
4. Provide a copy of this resolution to the Province of Ontario Ministry of Environment, Conservation and Parks, Association of Municipalities of Ontario, Regional Municipality of Durham and all lower tier municipalities within Durham Region.

Should you require further information, please do not hesitate to contact the Public Works Department at 905.430.4307.



Kevin Narraway
Manger of Legislative Services/Deputy Clerk

Copy: S. Beale, Commissioner of Public Works

Honourable Jeff Yurek, Minister of Environment, Conservation and Parks –
jeff.yurek@pc.ola.org

Association of Municipalities of Ontario (AMO) - amo@amo.on.ca

Ralph Walton, Regional Clerk, Regional Municipality of Durham -
clerks@durham.ca

N. Cooper, Director of Legislative and Information services, Town of Ajax –
Nicole.cooper@ajax.ca

B. Jamieson, Township of Brock - bjamieson@townshipofbrock.ca

A. Greentree, Municipal Clerk, Municipality of Clarington - clerks@clarington.net

M. Medeiros, City Clerk, City of Oshawa - mmedeiros@oshawa.ca

S. Cassel, City Clerk, City of Pickering – clerks@pickering.ca

J. Newman, Municipal Clerk, Township of Scugog - jnewman@scugog.ca

D. Leroux, Clerk, Township of Uxbridge - dleroux@town.uxbridge.on.ca

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-WR-12](#)
Date: December 4, 2019

Subject:

Award of Request for Proposal #528-2019 for Consulting Services to Conduct the Annual Environmental Monitoring Programs at the Regional Municipality of Durham's Seven Landfill Sites and the Durham York Energy Centre for Reporting Years 2020, 2021 and 2022

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That Request for Proposal #528-2019 be awarded to RWDI Inc. for consulting services to conduct all field work and reporting required under the annual monitoring programs for groundwater, surface water, soil, and subsurface gas, at the Regional Municipality of Durham's seven landfill sites and the Durham York Energy Centre for the 2020, 2021 and 2022 reporting years, at a combined upset limit not to exceed \$217,204.00*, and
 - B) That the Commissioner of Finance be authorized to execute the necessary agreements.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to provide details and obtain approval to award Request for Proposal (RFP) #528-2019 to RWDI Inc. for the provision of consulting services for monitoring field work and reporting required for the

Regional Municipality of Durham's (Region) annual monitoring programs at seven landfill sites and the DYEC, for the 2020, 2021, and 2022 reporting years, in accordance with the terms and conditions of the RFP. Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The Region requires the services of a qualified consultant to conduct all field work and reporting required for the annual monitoring programs at seven landfill sites and the DYEC, all located within Durham region. The consultant performs the field monitoring work, submits the water and soil samples for analysis, interprets the lab results, and compiles all the data with conclusions and recommendations in annual reports that are submitted to the Ministry of Environment, Conservation, and Parks.
- 2.2 Annual groundwater and surface water monitoring is conducted at all landfill locations. Subsurface gas monitoring is conducted annually at the Oshawa Landfill in addition to groundwater and surface water monitoring.
- 2.3 Annual groundwater and surface water monitoring is required under the Environmental Compliance Approval and the Environmental Assessment Notice of Approval for the DYEC site. Soil sampling at the DYEC site is required every three years. During this contract term, the soil sampling event will take place in August 2020.

3. Request for Proposal #528-2019

- 3.1 RFP #528-2019 was issued on September 20, 2019 and advertised publicly through the Region's website.
- 3.2 The RFP closed on October 17, 2019. Proposals were received from the following six consulting firms:
 - AECOM Canada Ltd.
 - GHD Limited
 - RWDI Inc.
 - The Greer Galloway Group Inc.
 - Watermark Environmental Ltd.
 - WSP Canada Inc.

- 3.3 The six proposals were deemed compliant and were reviewed and evaluated in accordance with the evaluation criteria outlined in the RFP, which consisted of the following:
- Company Background Qualifications and Experience (40%)
 - Project Management, Approach, and Methodology (30%)
 - Pricing (30%)
- 3.4 The proposals were evaluated by an evaluation team comprised of staff from the Works Department. The Purchasing Section of the Finance Department oversaw the evaluation process.
- 3.5 Based on the evaluation of the proposals, it is recommended that the highest scoring proponent, RWDI Inc. be awarded the contract.

4. Financial Implications

- 4.1 Section 9.4.1 of the Region's Purchasing By-law 68-2000 (Amended) requires that where the project annual value of a consulting or professional services assignment is expected to be more than \$60,000, approval of Regional Council is required for the award of the assignment when proposals are obtained.
- 4.2 Financing for this consulting agreement will be available in future Solid Waste Management Operating Budgets for the specific monitoring programs.

5. Conclusion

- 5.1 It is recommended that Request for Proposal #528-2019 to obtain the services of a qualified consultant to conduct the monitoring and reporting programs for the Region's seven landfill sites and the DYEC be awarded to RWDI Inc. for the 2020, 2021, and 2022 reporting years.

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

Respectfully submitted,

Original signed by

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-WR-13](#)
Date: December 4, 2019

Subject:

Award of Request for Proposal #1080-2019 Consulting Services for the Development of a New Long-Term Waste Management Master Plan 2021-2040 for the Regional Municipality of Durham

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That Request for Proposal #1080-2019 be awarded to HDR Corporation to provide consulting services to develop a new Long-Term Waste Management Master Plan to guide the Region through to 2040 at a contract price of \$199,971.00*; and
 - B) That the Commissioner of Finance be authorized to execute the necessary agreements.
-

Report:

1. Purpose

The purpose of this report is to provide details and obtain approval to award Request for Proposal (RFP) #1080-2019 to HDR Corporation for the provision of consulting services to assist in the development of a new Long-Term Waste Management Master Plan (LTWMP) with an estimated value of up to \$199,971.00*. The LTWMP is anticipated to be completed in early 2022. Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The “Regional Municipality of Durham’s (Region) Long-Term Waste Management Strategy Plan: 2000 to 2020” was approved in December 1999 and guided waste management decisions for the past 20 years.
- 2.2 Through the 2019 Solid Waste Management Servicing and Financing Study (2019-COW-3), Regional Council directed staff to begin work on an updated LTWMP to guide the Region through to 2040 and to retain a consultant to support the development and consultation of the LTWMP over two years.
- 2.3 In the same report, Regional Council also endorsed a vision for the LTWMP to manage solid waste as a resource through innovation and adaptability to enhance environmental sustainability.

3. Request for Proposal #1080-2019

- 3.1 Request for Proposal (RFP) #1080-2019, for consulting services was issued on October 7, 2019 and advertised publicly through the Region’s website.
- 3.2 The RFP closed on November 12, 2019. Proposals were received from the following three (3) consulting firms:
 - GHD Limited
 - HDR Corporation
 - Tetra Tech Canada Inc.
- 3.3 The three (3) proposals were deemed compliant, reviewed and evaluated in accordance with the evaluation criteria outlined in the RFP, which consisted of the following:
 - Company Structure and Resources (12%)
 - Project Team Background, Qualifications and Experience (35%)
 - Project Management, Approach, Innovation and Methodology (23%)
 - Pricing (30%)
- 3.4 The proposals were evaluated by an evaluation team comprised of staff from the Works Department. The Purchasing Section of the Finance Department oversaw the evaluation process.
- 3.5 Based on the evaluation of the proposals, it is recommended that the highest scoring proponent, HDR Corporation be awarded the contract.

4. Financial Implications

- 4.1 Section 9.4.1 of the Region's Purchasing By-law 68-2000 (Amended) requires that where the project annual value of a consulting or professional services assignment is expected to be more than \$60,000, approval of Regional Council is required for the award of the assignment when proposals are obtained.
- 4.2 Financing for this consulting agreement was provided in the 2019 Solid Waste Management Capital Budgets.

5. Conclusion

- 5.1 It is recommended that Request for Proposal #1080-2019 to obtain the services of a qualified consultant to develop the new Long-Term Waste Management Master Plan to guide the Region through to 2040 be awarded to HDR Corporation.
- 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 Gioseph Anello, Manager of Waste Planning and Technical Services, at 905-668-7711, extension 3445.

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine Baxter-Trahair
Chief Administrative Officer



Town of Whitby

Office of the Town Clerk

575 Rossland Road East, Whitby, ON L1N 2M8

www.whitby.ca

October 31, 2019

VIA Email:

Ralph Walton, Regional Clerk

Region of Durham

clerks@durham.ca

Re: Public Works Department Report, PW 29-19
Road Rationalization

Please be advised that at a meeting held on October 28, 2019, the Council of the Town of Whitby adopted the following as Resolution # 302-19:

1. That the Clerk circulate Report PW 29-19 to the Region of Durham;
2. That the Town formalize an agreement with the Region of Durham regarding road rationalization/transfer of the following road segments effective May 1, 2020:
 - a. Rossland Road between Lake Ridge Road and Cochrane Street;
 - b. Cochrane Street between Dundas Street and Rossland Road excluding the limits of the rail bridge; and,
 - c. Henry Street between Victoria Street and Dundas Street.
3. That staff be authorized to continue discussions with respect to road rationalization/transfer of additional road segments; and,
4. That NUB MD-2764 be removed from the New and Unfinished Business register.

Should you require further information, please do not hesitate to contact the Public Works Department at 905.430.4307.

A handwritten signature in blue ink, appearing to read "Kevin Narraway".

Kevin Narraway

Manager of Legislative Services/Deputy Clerk

Attach: PW 29-19

Copy: S. Beale, Commissioner of Public Works

S. Siopis, Commissioner of Works, Region of Durham - susan.siopis@durham.ca



Town of Whitby Staff Report

whitby.civicweb.net

Report Title: Road Rationalization

Report to: Committee of the Whole

Date of meeting: October 21, 2019

Report Number: PW 29-19

Department(s) Responsible:

Public Works Department

Submitted by:

Suzanne Beale, Commissioner of Public Works

Acknowledged by M. Gaskell, Chief Administrative Officer

For additional information, contact:

Jason Kittle, Acting Director of Operations, Ext. 4335

1. Recommendation:

1. That the Clerk circulate Report PW 29-19 to the Region of Durham.
2. That the Town formalize an agreement with the Region of Durham regarding road rationalization/transfer of the following road segments effective May 1, 2020:
 - a. Rossland Road between Lake Ridge Road and Cochrane Street.
 - b. Cochrane Street between Dundas Street and Rossland Road, excluding the limits of the rail bridge.
 - c. Henry Street between Victoria Street and Dundas Street.
3. That staff be authorized to continue discussions with respect to road rationalization/transfer of additional road segments.
4. That NUB MD-2764 be removed from the New and Unfinished Business register.

2. Highlights:

- Staff from the Town of Whitby and the Region of Durham have met on numerous occasions to discuss the potential transfer of road segments.
- There are three (3) segments that can be easily transferred at this time.
- The transfer is proposed to be effective May 1, 2020.
- Ongoing discussions will continue to evaluate additional road segments.

3. Background:

Over the years, many discussions have taken place between the Town of Whitby and the Region of Durham in regards to road rationalization. Most recently, report [PW 10-16, Road Rationalization](#), was written to identify previous discussions with the Region of Durham and outline the direction that staff would pursue. A further report [PW 30-17, Town Comments on Draft 2018 Region of Durham Road Program and 9-year Forecast](#), identified additional specific segments that could be focused on during road rationalization discussions.

Each year, the Region of Durham requests input from the Town for possible Road Rationalization/transfer opportunities. The following is the most recent list of Town and Regional Roads that have been identified as potential candidates for road rationalization/transfer:

Town to Region Candidates

- Rossland Road between Lake Ridge Road and Cochrane Street.
- Dundas Street between Fothergill Court and Cochrane Street.
- Dundas Street between Garden Street and Oshawa.

Region to Town Candidates

- Old Victoria Street (after realignment between South Blair Street and Thickson Road).
- Cochrane Street between Dundas Street and Rossland Road.
- Henry Street between Victoria Street and Dundas Street.
- Brock Street from Water Street to the South Limit of Highway 401.
- Old Lake Ridge Road from Almond Ave to Cresser Avenue.
- Old Lake Ridge Road south of Highway 401.
- Winchester Road between Baldwin Street and Thickson Road.

To expedite some of these segments, Town and Region staff have agreed to focus on road segments that can be mutually agreed upon to be transferred with minimal compensation to either party. Ongoing conversations have continued and road segments have now been identified for the initial transfer.

Currently there is no formal regional policy of what constitutes a Regional Road. However, as part of the 2017 Region of Durham Transportation Master Plan (TMP) the following features were identified (see Section 6.4.3 of TMP):

- Connection with Provincial and/or inter-regional network;
- Carries high volume of inter-municipal and/or Regional traffic;
- Attracts significantly higher volumes of traffic than adjacent roads;
- Higher level of access control;
- Supports Regional goods movement;
- Supports major transit route and/or planned rapid transit route;
- Supports Region-wide economic and growth objectives; and
- Does not affect corridor planning.

The road segments that are being considered as part of the road rationalization and transfer from the Town of Whitby to the Region of Durham support the above features.

4. Discussion:

Ownership

The current segments that are being recommended for transfer are broken down in the following chart. Only Rossland Road, between Des Newman Boulevard and Cochrane Street is proposed to be transferred from the Town to the Region.

Road Name & Classification	From	To	CL Length (km)	# of Lanes	Lane (km)
Cochrane Street Arterial Type C	Dundas Street	South limit of rail bridge	2.0	2/3	3.2
Cochrane Street Arterial Type C	North limit of rail bridge	Rossland Road	0.6	2/3	2.0
Cochrane Street Arterial Type C	South limit of rail bridge	North limit of rail bridge	0.1	2	0.2
Henry Street Collector	Victoria Street	Burns Street West	1.1	2/3	2.7
Henry Street Collector	Burns Street West	Dundas Street	0.95	2/3	2.2

Road Name & Classification	From	To	CL Length (km)	# of Lanes	Lane (km)
Rossland Road Arterial Type B	Des Newman Boulevard	Cochrane Street	2.1	4/5	9.3

Note:

- The Cochrane Street bridge segment will be transferred once the bridge has been reconstructed. The expected date of transfer is May 1, 2022 (Region completing rehabilitation works already included in their capital program).
- The Rossland Road section will require a final lift of asphalt in 2021. Funding has been identified in the Town's Capital Budget in the amount of \$403,000 for this work and will be transferred to the Region at their request.

With the construction of Highway 412, a portion of Rossland Road West was expropriated from the Town, including the section from Lake Ridge Road to Des Newman Boulevard. Since the completion of Highway 412, Rossland Road West has been reconstructed and the current ownership has been retained by the MTO for a future interchange. Due to the requirements for the municipality to maintain the roadway that travels over the highway, the entire section will be acknowledged as being transferred to the Region. If any property is to be returned to municipal ownership following the interchange, the property would be released to the Region.

Maintenance

Maintenance for the above segments has been dealt with differently for seasonal works. Typically, summer maintenance works includes sweeping, pothole repair, curb repairs, catch basin cleaning, etc. Winter works does include pothole repairs however mainly consists of responses to winter weather conditions (plowing, salting, etc.). Over the years, the owners have maintained their own roads with the exception that the Town has performed winter maintenance on the Region's behalf on a cost recovery basis. The maintenance work completed on Regional roads is invoiced on a time and material basis and therefore fluctuates from year to year. The winter maintenance recoveries from the Region for all roads serviced by the Town has a five year average of \$49,375 and includes 28.4 lane kilometres.

With the Region assuming the ownership of Rossland Road, it is their intention to provide their own winter maintenance. The Cochrane Street and Henry Street segments will continue to be maintained by the Town however we will no longer receive recoveries for winter maintenance. The reduction in recoveries is estimated at \$16,500 based on a 5 year average.

With the transfer date proposed at May 1, 2020, the impact to the winter maintenance portion of the 2020 Operating Budget will be \$6,500.

Future Road Rationalization Segments

Due to construction timing, ongoing environmental assessments, and/or future infrastructure uncertainties, there are a number of segments that will continue to be reviewed for the potential of Road rationalization/transfer. Specifically, the following roads will continue to be pursued:

- Victoria Street (old alignment) from 0.7km west of Thickson Road to 0.4km west of Thickson Road.
- Brock Street from Water Street to South Limit of Highway 401.
- Dundas Street West from Fothergill Court to 200 west of Cochrane Street.
- Dundas Street East from 200 m east of Garden Street to Whitby/Oshawa Boundary.
- Winchester Road from Baldwin Street to Thickson Road.

The proposed lane kilometres being transferred to each party would be similar, however further asset management analysis will need to be undertaken to ensure that the values of infrastructure being transferred is reasonably comparable. Should additional segments be identified in the future, they will be included for discussion.

5. Financial Considerations:

The transfer of segments results in the Town increasing the roadway network by 1.0 lane kilometres. The Town has performed winter maintenance on all sections in the past and invoiced the Region for work performed on a time and material basis. With the transfer taking place after the winter season in 2020, budget implications will not be realized until the 2020/2021 winter season as the Region has indicated that they will assume winter maintenance of Rossland Road. Summer maintenance has been previously performed by the municipal owners and therefore there will be no significant change. With reimbursement no longer being collected for winter maintenance of Cochrane Street and Henry Street, the recoveries in the 2020 budget will be reduced by \$20,000.

6. Communication and Public Engagement:

With the transfer of road segments, the Town and Region will need to update all mapping, signage and correspondence as it relates to the ownership. Both websites will need to be updated and communications identifying the changes will utilize available social media platforms. While the previously owned Region of Durham road segments will no longer be associated with regional road numbers, the actual names of the road will not change and will therefore not impact addressing.

7. Input from Departments/Sources:

Corporate Services and Legal Services will be involved in the transfer of properties following the passing of this report.

Continuing communications with the Region will take place to ensure a seamless transfer of services to the road segments once a report by Regional staff to Regional Council has been completed.

8. Strategic Priorities:

a. Council Goals 2014-2018

Working with the Region to identify road network transfers is directly related to two (2) of the 2018-2022 Goals of Whitby Council which are:

- To continue the Whitby tradition of responsible financial management and respect for taxpayers; and to understand the importance of affordability and sustainability to a healthy, balanced community.
- To remain the community of choice for families and become the community of choice for seniors and job creators; and to focus new growth around the principles of strong, walkable and complete neighbourhoods that offer mobility choices.

b. Corporate Strategic Plan and Strategic Priorities

The review of winter maintenance for the AT network has been completed with an alignment to the Corporate Strategic Plan with specific focus on the Organization and Customer priorities.

2. Organization

We will be a high performing, innovative, effective and efficient organization.

Objectives:

- Continually improve how we do things by fostering innovation and focusing on making our processes better
- Enhance our efforts at informing and engaging staff and community

3. Customer (note: customer is defined as both external and internal)

We will provide a consistent, optimized and positive customer service experience.

Objectives:

- Design service delivery around customer needs
- Define clear service levels

c. Accessibility

The road networks will continue to operate as before under the change in ownership. Any future works will consider accessibility options. .

d. Guiding Principles for Sustainability

The recommendations in Report PW 29-19 compliment the Sustainability Vision that The Town of Whitby will be a healthy, sustainable and complete community. This is accomplished through the guiding principle to improve our economy through the efficient and effective utilization of our resources.

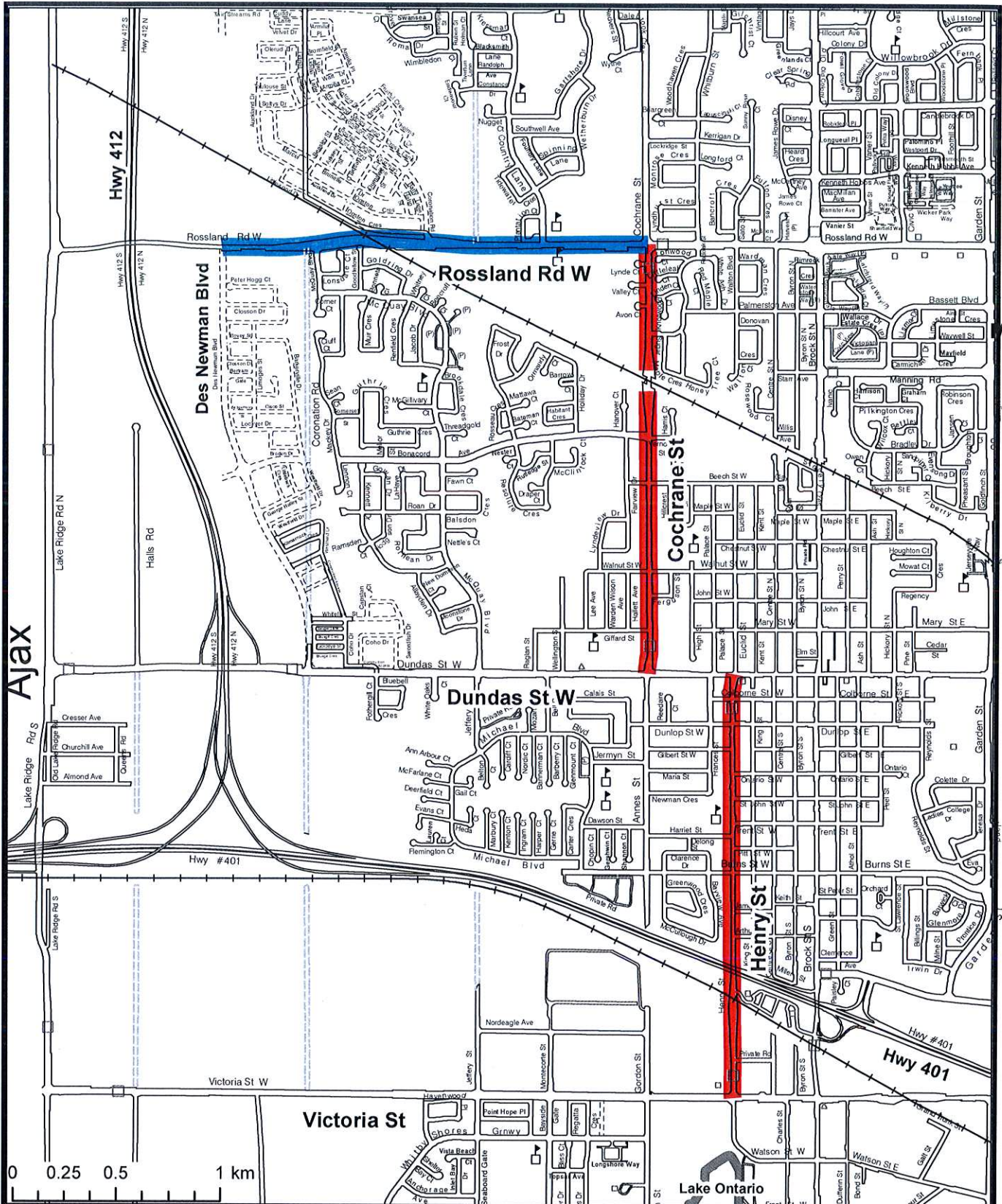
Objectives:

- Whitby sustains the fiscal health of our community through prudent financial management of its services, assets and resources.

9. Attachments:

[Attachment No. 1: Road Rationalization Transfer Map](#)

[Attachment No. 2: Road Rationalization Future Candidate Map](#)



Date: 9/04/2019

Road Rationalization Transfer Map

Report: **PW 29-19**

Legend

- █ From Region to Town
- █ From Town to Region


0 0.25 0.5 1 km

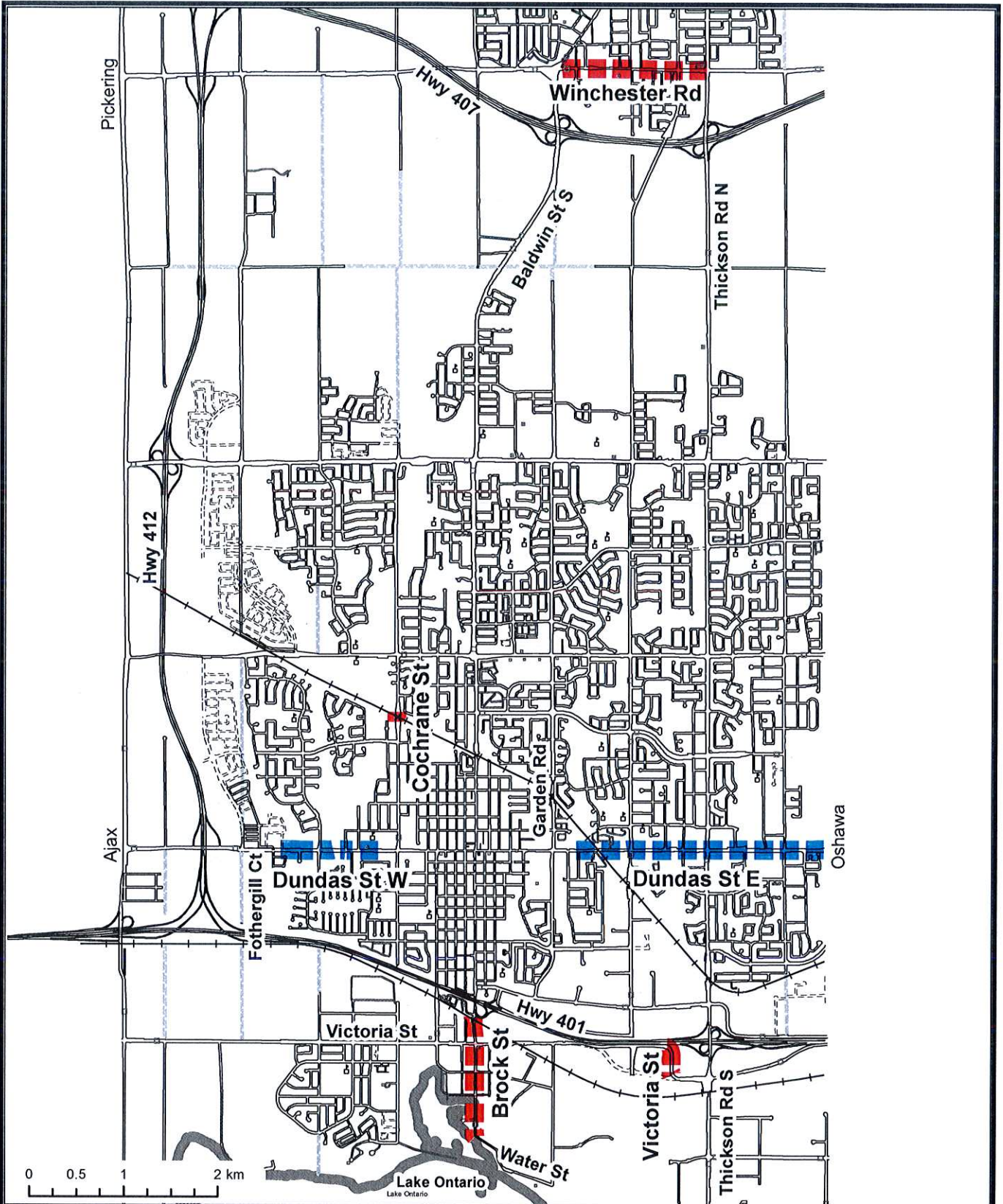
Victoria St

Lake Ontario

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Date: 9/05/2019

Road Rationalization Future Candidate Map

Legend

- Future Candidate For Transfer From Region To Town
- Future Candidate For Transfer From Town To Region

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Report: **PW 29-19**

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-86
Date: December 4, 2019

Subject:

Acquisition of Land Required for the Construction of a Sanitary Sewer and Watermain North/South of Rossland Road and West of Des Newman Boulevard, in the Town of Whitby

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That the purchase agreement for lands required for sanitary sewer and watermain north/south of Rossland Road and west of Des Newman Boulevard in the Town of Whitby be approved:

HER MAJESTY THE QUEEN in right of the Province of Ontario, Represented by the Minister of Transportation for the Province of Ontario	Part of Lot 34, Concession 3, being part of PIN 26548-3331 shown as Parts 2 and 3 on 40R-30043	\$337,067
	Part of Lot 34, Concession 2, being part of PIN 26547-1268 shown as Part 4 on 40R-30533 Town of Whitby	

- B) That the acquisition be financed from securities provided to the Regional Municipality of Durham by the West Whitby Landowners Group included as part of the approved project budget; and

- C) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreement.
-

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval for the acquisition of land from properties north and south of Rossland Road and west of Des Newman Boulevard in the Town of Whitby (Whitby) (Attachment #1) being property identified as a requirement for a sanitary sewer and watermain.

2. Background

- 2.1 The West Whitby Landowners Group (WWLG) are developing the lands east of Highway 412 which includes the installation of Regional Services (sanitary sewers and watermains) along Des Newman Boulevard from Dundas Street to Taunton Road, in the Town of Whitby (Whitby). The WWLG needs to acquire lands from the Ministry of Transportation Ontario (MTO) to develop their lands, however MTO has advised that they will only negotiate the purchase of lands with municipalities. As such, Whitby is negotiating some land purchases with MTO on behalf of the WWLG for Whitby requirements and the Regional Municipality of Durham (Region) is negotiating some land purchases with MTO on behalf of the WWLG for the installation of Regional Services. The WWLG will fund the land acquisition costs from securities provided to the Region.

3. Property Acquisition

- 3.1 The property is located west of Des Newman Boulevard and to the north and south of Rossland Road in Whitby. The requirement consists of three parcels of land totaling 1.4332 acres used for the installation of a sanitary sewer and watermain.
- 3.2 A third-party valuation was prepared and approved by MTO staff which resulted in a market value estimate of \$337,067 (\$235,317.73 per acre). MTO has advised that they will not share the valuation/appraisal with the Region. The Region reviewed the land use regulations for the property and determined that the valuation for the property requirement is reasonable based on neighbouring sales.

4. Financial Implications

- 4.1 Financing for the land acquisition will be provided from the approved project budget (Project D1931).

4.2 The WWLG has agreed to pay all costs associated with the land purchase from securities provided to the Region.

5. Conclusion

5.1 The acquisition of land from the Ministry of Transportation Ontario is required for the installed watermain and sanitary sewer, and it is recommended that the Regional Municipality of Durham enter into the purchase agreement discussed above.

6. Attachments

Attachment #1: Location Map - Des Newman Boulevard and Rossland Road, Whitby

Respectfully submitted,

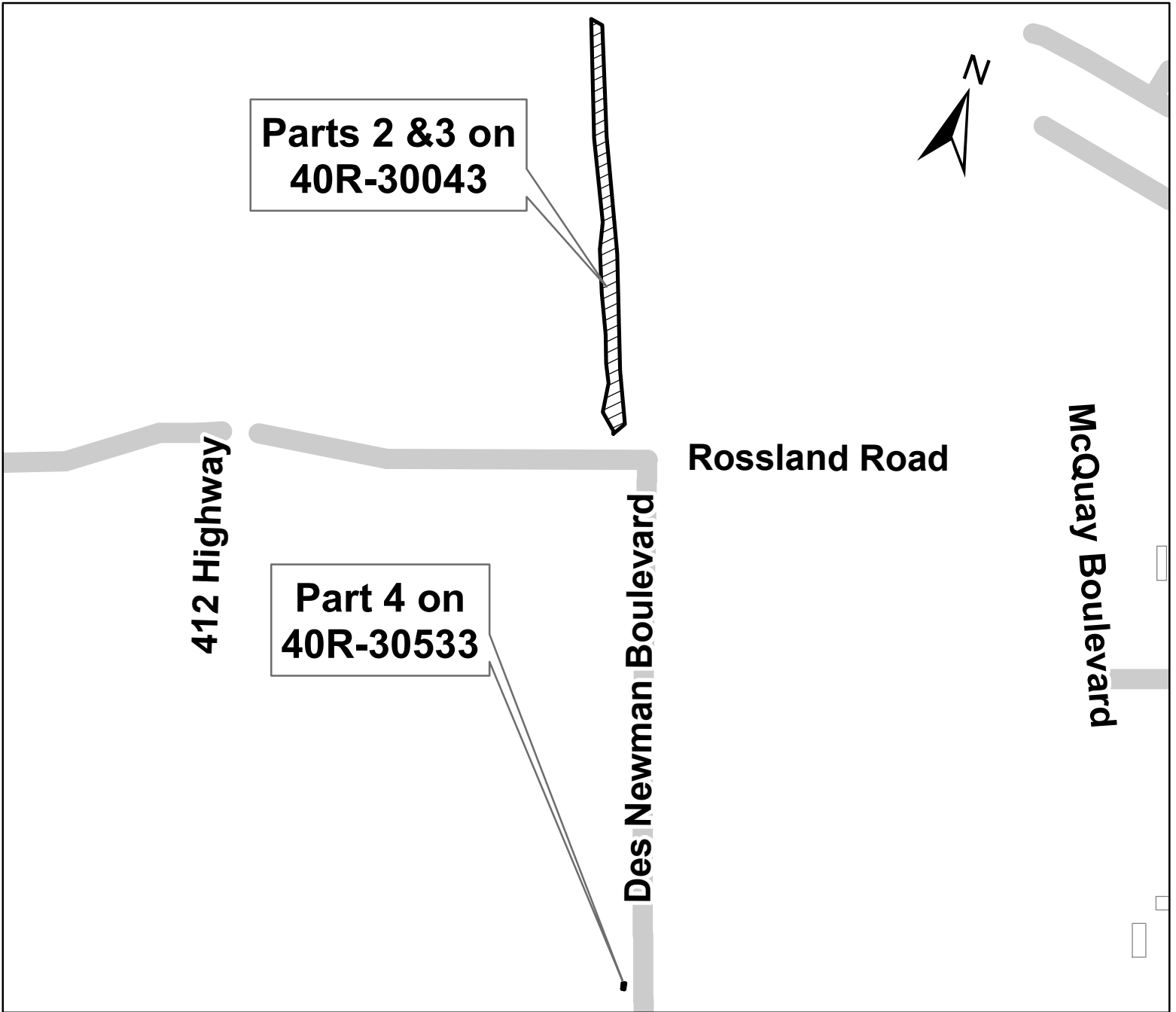
Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine Baxter-Trahair
Chief Administrative Officer

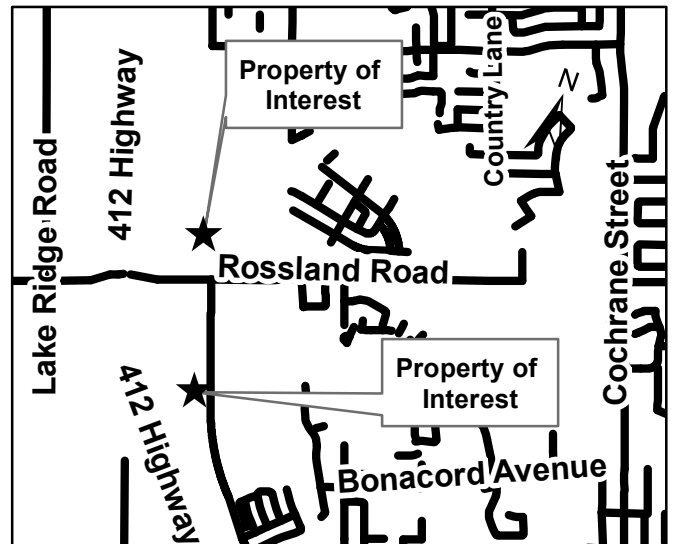


Attachment #1: Location Map



**Property of Interest
Land Acquisition for Water
and Sewer Infrastructure on
Des Newman Boulevard
Town of Whitby**

GIS Data: Produced by Durham Region, 2019.
 2017 Contours/2017 Drainage/2017 Orthophotography provided by © First Base Solutions Inc.
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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-88
Date: December 4, 2019

Subject:

Sole Source Award and Approval for the Unbudgeted Capital Purchase of a Xylem Pump for the Harmony Creek Sanitary Sewage Pumping Station in the City of Oshawa

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That approval be granted for the unbudgeted capital purchase of a Xylem Pump for the Harmony Creek Sanitary Sewage Pumping Station in the City of Oshawa, estimated at \$110,000*;
- B) That the Regional Municipality of Durham enter into a sole source agreement with Xylem Canada Company for the supply of the Xylem Pump for the Harmony Creek Sanitary Sewage Pumping Station; and
- C) That financing in the amount of \$110,000 for the purchase be provided as follows:
2019 Works Sanitary Sewerage System Capital Budget as follows:

Item #63 Raw Sludge Pumps Harmony Creek Water Pollution Control Plant – User Revenues	\$50,000
Item # 21 Digester Mechanical repair Courtice WPCP - User Revenues	<u>60,000</u>
Total Reallocated Financing	<u>\$110,000</u>

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval for an unbudgeted capital purchase of a Xylem Pump for the Harmony Creek Sanitary Sewage Pumping Station (SSPS) in the City of Oshawa (Oshawa) to restore designed pumping capacity. Dollar amounts followed by an asterisk (*) are before applicable taxes and including disbursements.

2. Background

- 2.1 In 2019, Regional Municipality of Durham (Region) Water Pollution Control Plant operations staff performed annual servicing of the pumps at the Harmony Creek SSPS. Staff found one pump with contamination within the seal housing. The pump was removed from service and delivered to a vendor on the approved pump repair registry for assessment. The vendor consulted with the original equipment manufacturer, Xylem Canada Company (Xylem), who determined that the pump could not be restored to its required classification under the Electrical Code due to multiple internal failures.
- 2.2 In order to maintain the design capacity of the Harmony SSPS, the purchase of a new Xylem pump model CP3312.775 with a 630 millimetre (mm) impellor is required. This direct pump replacement ensures no piping or electrical modifications will be required. Replacing with a Xylem pump also entitles the Region to a considerable trade in discount when returning the defective pump to Xylem.

3. Financial Implications

- 3.1 Section 8.2.2 of the Region's Budget Management Policy requires approval of the Works Committee and Regional Council for unbudgeted capital expenditures in excess of \$25,000.
- 3.2 In addition, Section 11.4 of the Region's Budget Management Policy requires approval from Regional Council for reallocations of current budget provisions in excess of \$100,000.

- 3.3 Financing for the unbudgeted capital purchase of the Xylem pump can be financed as follows:

2019 Sanitary Sewerage System Capital Budget

Item #63 Raw Sludge Pumps Harmony Creek Water Pollution Control Plant -User Revenues	\$50,000
Item # 21 Digester Mechanical repair Courtice WPCP – User Revenues	<u>60,000</u>
Total Reallocated Financing	<u>\$110,000</u>

4. Conclusion

- 4.1 It is recommended that the unbudgeted capital purchase of a Xylem pump model 3312.775 with a 630 millimetre impellor and related financing, be approved. Regional staff further recommend that sole source approval be granted for the supply of the Xylem pump from Xylem Canada Company.
- 4.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations.
- 4.3 For additional information, please contact Rich Tindall, Manager, Plant Operations at 905-668-7711 ext. 3547.

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine 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-89](#)
Date: December 4, 2019

Subject:

Additional Information Regarding Imposition of a Maximum Chargeable Frontage Length for Sanitary Sewer and Water Supply Petition Projects

Recommendation:

That the Works Committee recommends to Regional Council that the Regional Municipality of Durham maintain full cost recovery for petition projects as outlined in current policies and by-laws and not implement maximum chargeable frontage lengths.

Report:

1. Purpose

1.1 The purpose of this report is to advise Works Committee of options available for, and the impacts of, imposing a maximum chargeable frontage length on sanitary sewer service and water supply petition projects.

2. Background

2.1 On October 2, 2019, Report #2019-W-70 was presented to Works Committee regarding options for the redistribution of frontage charges for a watermain petition on Range Road, Lakeridge Road and Ontoro Boulevard, in the Town of Ajax (Ajax).

- 2.2 Works Committee referred Report #2019-W-70 back to staff, requesting additional information related to the underlying Ontario Regulation 586/06, the Regional Municipality of Durham's (Region) Water Supply System By-law #89-2003, and the impacts of setting a maximum chargeable frontage length on current and future sanitary sewer service and water petition projects.
- 3. Review of Regulation 586/06 and Water Supply System By-law #89-2003**
- 3.1 Ontario Regulation (O.Reg.) 586/06, among other things, sets out a process for facilitating local improvements through petitions and the apportionment of the resulting costs based on property frontage. The costs apportioned to owners through this method are referred to as a "special charge" in this regulation.
- 3.2 Section 16 of O.Reg. 586/06 addresses reductions and increases in special charges. Section 16(3) states:
- "If a lot has a larger frontage than the threshold described in subsection (4) and will not benefit from a work to the same degree as other lots benefited by the work, a reduction shall be made in the amount to be specially charged on the lot, sufficient to adjust that amount on a just and equitable basis as compared with the other specially charged lots."
- 3.3 The above-mentioned threshold in Section 16 (4) states:
- "The threshold referred to in subsection (3) is,
a) the number of metres that the municipality specifies by by-law; or
b) if the matter is not dealt with by by-law, 30 m."
- 3.4 A by-law can specify such a threshold in multiple ways. For instance, a by-law could include a specific length as the threshold or articulate a set of conditions to address when determining the threshold. The Region's Water Supply System By-law #89-2003 does the latter.
- 3.5 By-law #89-2003 does specify a threshold as required under subsection (4) of the Regulation. Section 32(2) of the By-law states:
- "Subject to section 32(3) to (6), the frontage of a lot shall be the frontage as recorded in the Provincial Assessment Roll."
- 3.6 Sections 32(3) to (6) of By-law #89-2003 cite the circumstance where the Region may reduce the frontage of a lot for the purpose of calculating frontage charges.

The only maximum length restriction contained within sections 32(3) to (6) is found in subsection (3)(d), which states:

“lots having frontage in excess of 38 metres that are used for agricultural purposes or residences in connection with such agricultural purposes.”

- 3.7 In summary, sections 16(3) and (4) of the regulation are addressed in the Region’s Water Supply System (and the Sanitary Sewerage System) By-law(s) by specifying the maximum number of metres (m) as the frontage recorded in the Provincial Assessment Roll for all lots, except lots used for agricultural uses.

4. Regional Policy of Full Cost Recovery

- 4.1 The Region’s policy related to local improvements is that the cost to extend municipal services as the result of successful petitions are the responsibility of the properties benefiting from the extension of the services. That is, the Region’s policy is that the frontage charges applied to petition projects should be based on full cost recovery, subject to any reductions permitted under the Region’s By-laws.
- 4.2 This policy is also reflected in the Region’s Share Policy for development which requires that services for new subdivisions and site plan developments be funded by developers. This policy ensures that the cost of the local sanitary sewer and water supply services are paid for by the purchasers of the homes and are not funded by existing sanitary sewer and water supply user rate customers.
- 4.3 In this manner, all property owners located in the Region fund 100 per cent of the construction costs of the local sanitary sewers and watermains servicing their properties.
- 4.4 In order to ensure the application of full cost recovery in petition projects, the applicable frontage charges are determined based on the total cost of the project divided by the total recoverable frontage. Applying a maximum chargeable frontage length to this method will decrease the total length of recoverable frontage and increase the frontage charges per metre. This method will result in higher total costs for all lots which have less than the maximum frontage length as well as for some lots which have frontages slightly greater than the maximum frontage because the decrease in frontage length is insufficient to offset the increase in the per metre rate.

4.5 Alternatively, applying a maximum chargeable frontage without increasing the charge per metre would result in the existing sanitary sewer and water supply user rate customers in the Region subsidizing the owners of these larger lots and would be contrary to the Region's policy that all petition projects should be based on full cost recovery.

5. Impacts on Existing Petition Projects

5.1 There are three potential options for addressing this issue. These are:

- a) No maximum chargeable frontage (status quo) and full cost recovery;
- b) Increase the cost per metre based on a maximum chargeable frontage and full cost recovery; or
- c) Maintain the same cost per metre with a capped chargeable frontage and subsidize with sanitary sewer and/or water supply user rate funding.

5.2 There are currently six active petitions for municipal services. These are:

- a) Alma Street and Gibson Drive, Port Perry, Township of Scugog (petition failed)
- b) Range Road, Lakeridge Road and Ontoro Boulevard, Ajax (successful petition)
- c) Fielding Court, Ajax (successful petition)
- d) Cigas Road Area, Courtice, Municipality of Clarington – water (petition failed)
- e) Cigas Road Area, Courtice, Municipality of Clarington – sewer (petition failed)
- f) Easy Street, Port Perry, Township of Scugog (petition failed)

5.3 Although four of these six petitions failed, costs have been estimated based on all six because, depending on the implementation of potential options, the results of the petition may have been different.

5.4 The costs associated with the three potential options have been estimated for each recent petition process using two maximum chargeable frontages: one of 30 metres (m) and one of 75 m as presented in Attachment #1.

6. Analyses of Options

- 6.1 Option (a) is the status quo. The frontage charge is determined based on the total cost of the project divided by all recoverable frontage. All owners pay for the entirety of their frontage. This option is in keeping with the Region's current by-laws and policies and there is no impact on the existing sanitary sewer and water supply user rate customers.
- 6.2 Option (b) is still based on full cost recovery, however, depending on the maximum chargeable frontage length applied, the total recoverable frontage length would decrease and the resulting frontage charge per metre would increase for all properties included in the petition.
- 6.3 Under option (b), a maximum chargeable frontage of 30 m would result in a 95 per cent to 130 per cent increase in costs to all of the landowners with a frontage less than, or slightly larger than 30 m (Refer to Section 4.4). The comparable increases if a 75 m maximum chargeable frontage was used range from 1 per cent to 45 per cent per owner. Since in either case the costs would increase for some of the affected property owners, the project (with successful petition results) would have to be re-issued if this option is adopted. This option has no impact on the existing sanitary sewer and water user rate customers.
- 6.4 Section 16(7) of O.Reg. 586/06 states:
- “The amount of any reduction or increase in the amount to be specially charged on a lot shall be added to or deducted from the municipality's share of the cost.”
- 6.5 This section is only applicable post-petition, when the results have been finalized and the intent is to preserve those results without a new petition. As noted in Report #2019-W-70, any contemplated change which would increase the costs to any property owner would require a re-petitioning of all property owners. Option (b) increases cost to many of the property owners and would require a re-petitioning. In any such re-petitioning under current policies and by-laws, the Region would restate the municipal contribution as zero and section 16(7) would not apply.

- 6.6 Option (c) maintains the frontage charge regardless of the maximum chargeable frontage, with the shortfall funded by the existing Regional sanitary sewer and water supply use rate customers. If this option was applied to the current six active petition projects, the contribution from existing user rate customers would be \$2,731,400 if a maximum chargeable frontage of 30 m was applied and \$779,700 if a maximum chargeable frontage of 75 m was applied.
- 6.7 Option (c) would not require a new petition as there would not be any increased costs to any property owner. Section 16(7) would, therefore, apply to the original petition because the cost reductions would happen after the petition has been completed (e.g. post petition) and the reduction in costs would have to be funded by the water supply and sanitary sewer use rate customers.

7. Conclusions

- 7.1 A review of O.Reg. 586/06 and Regional By-laws #89-2003 (water) and #90-2003 (sanitary sewer), demonstrates that the Region has specified the maximum number of chargeable frontage metres as the frontage recorded in the Provincial Assessment Roll for all lots, except lots used for agricultural uses.
- 7.2 The Region has a policy of full cost recovery for local sanitary sewer and water supply services. This policy applies to all properties where the services were constructed by developers and has been applied in this manner for decades. In addition, this policy is applied to existing homes which were originally built without the benefit of sanitary sewer or water supply services. In this manner, all property owners in the Region fund 100 per cent of the construction costs of the local sanitary sewers and watermains servicing their properties.
- 7.3 The status quo, Option (a) is the only option which meets both the Region's by-laws and policy of full cost recovery.
- 7.4 Option (b) does meet the Region's policy of full cost recovery, but, it imposes additional costs on all the other landowners who have smaller, or slightly larger (Refer to Section 4.4) lot frontages than the chosen maximum chargeable frontage. This is not in compliance with the Region's bylaws. This approach requires a new petition of the owners (e.g. Ontoro Boulevard and Fielding Court) and, as such, section 16(7) of the O.Reg. 586/06 would not apply.

- 7.5 Option (c) meets neither the Region's by-laws or the policy of full cost recovery and burdens the existing Regional sanitary sewer and water supply user rate customers with significant costs. This approach would not require a new petition of the owners, therefore, O.Reg. 586/06 section 16(7) would apply and the reduction would have to be funded by the Regional sanitary sewer and water user rate customers.
- 7.6 This report has been prepared in consultation with the Corporate Services Department-Legal Services Division and the Finance Department. The Commissioners of Corporate Services and Finance concur with the summary and recommendations of this report.
- 7.7 For additional information, please contact Paul Gillespie, Manager of Development Approvals at 905-668-7721 extension 3443.

8. Attachments

Attachment #1: Impacts of Instituting a Maximum Chargeable Frontage Length

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

Impacts of Instituting a Maximum Chargeable Frontage Length for Petition Projects

Active Petitions	Option (a) No maximum chargeable frontage (status quo) and full cost recovery		Option (b) Increase the cost per metre based on a maximum chargeable frontage and full cost recovery				Option (c) Maintain the same cost per metre with a maximum chargeable frontage and subsidize with sanitary sewer and/or water supply user rate funding		
	no max frontage	no max frontage	no max frontage	30 m max frontage	75 m max frontage	75 m max frontage	30 m max frontage	75 m max frontage	75 m max frontage
Project	Frontage Charge (\$/m)	User Rate Funds (\$)	Frontage Charge (\$/m)	Frontage Charge (\$/m)	Frontage Charge (\$/m)	Frontage Charge (\$/m)	User Rate Funds (\$)	User Rate Funds (\$)	Frontage Charge (\$/m)
Ontoro Blvd/Range Road	\$556	\$0	\$556	\$1,286	\$805	\$805	\$0	\$448,100	\$556
Fielding Court	\$499	\$0	\$499	\$969	\$506	\$506	\$0	\$5,600	\$499
Cigas Road - water	\$819	\$0	\$819	\$1,691	\$910	\$910	\$0	\$118,300	\$819
Cigas Road- sewer	\$707	\$0	\$707	\$1,415	\$768	\$768	\$0	\$102,200	\$707
Easy Street	\$1,008	\$0	\$1,008	\$2,076	\$1,147	\$1,147	\$0	\$105,500	\$1,008
Alma Street & Gibson Drive	\$714	\$0	\$714	\$714	\$714	\$714	\$0	\$0	\$714
Total User Rate Funds Required	N/A	\$0	N/A	N/A	N/A	N/A	\$0	\$779,700	N/A

Notes:

1) All costs are based on the total estimated cost of the project at the time of the petition.



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: [#2019-W-90](#)
Date: December 4, 2019

Subject:

Amendment and Extension of Lease for Premises with 1513072 Ontario Inc. at 234 King Street East, in the Municipality of Clarington for the Regional Municipality of Durham Social Services Department

Recommendations:

The Works Committee recommends to Regional Council:

- A) That the amendment and extension of lease for 180.254 square metres (1,940.3 square feet) of office space, being part of the building located at 234 King Street East, in the Municipality of Clarington be approved with the following terms and conditions:
 - i) The term is for a period of two years commencing December 1, 2019, ending November 30, 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 \$23,283.60* based on a rate of \$129.17* per square metre (\$12.00* per square foot);
 - iii) The Region is responsible for all operating costs for the space;
 - 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 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 1513072 Ontario Inc. at 234 King Street East, in the Municipality of Clarington (Clarington) for the Social Services Department, Family Services Division. Dollar amounts followed by an asterisk (*) are before applicable taxes in all instances.

2. Background

- 2.1 The Region has leased 180.254 square metres (1,940.3 square feet) of space at 234 King Street East, in Clarington for the Region's Social Services Department, Family Services Division since 2002. Social Services has advised they would like to renew the lease arrangement at this location.

3. Discussions

- 3.1 The proposed amendment and extension is for a period of two years. The term commences December 1, 2019 and ends November 30, 2021. There is an option to extend for an additional two years subject to the rental rate being negotiated
- 3.2 The total annual rental rate is \$23,283.60* for the \$129.17* per square metre (\$12.00* per square foot) per annum*. The rental rate remains the same as it was in the previous lease.
- 3.3 The Region is responsible for all operating costs for the space and a proportionate share of applicable property taxes. Operating costs and property taxes for 2019 are estimated at \$19,500*.

4. Financial Implications

- 4.1 Financing for the amendment and extension of lease of \$23,283.60* and related costs per annum will continue to be provided within the Social Services Department, Family Services Division Operating Budget 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 would like to amend and extend the lease for space at 234 King Street East in the Municipality of Clarington, 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 Jenni Demanuele, Director, Business Services and Corporate Real Estate, at 905-668-7711, extension 3456.

Respectfully submitted,

Original signed by

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-91](#)
Date: December 4, 2019

Subject:

Award of Request for Proposal #1006-2019 for Engineering Services to Undertake the Detailed Design for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection, in the City of Oshawa and Expropriation of Lands Required for the Project

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That Request for Proposal #1006-2019 be awarded to R.V. Anderson Associates Limited to provide engineering services to undertake the detailed design for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection, in the City of Oshawa, with a total upset limit not to exceed \$996,932* funded from the approved project budget of \$7,267,350;
- B) That the Commissioner of Finance be authorized to execute the engineering services agreement;
- C) That Authority be granted to Regional Municipality of Durham staff to initiate Expropriation proceedings, if necessary, where negotiations are unsuccessful with respect to the property requirements for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection project in the City of Oshawa as are generally depicted in Attachment #1 to this report, and for such other property requirements as may be determined and identified by Regional Municipality of Durham staff required for the project;

-
- D) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirement as described in Recommendation C) in this Report, and to forward to the Chief Inquiry Officer any requests for hearing that are received, to attend the hearings to present the Regional Municipality of Durham's position, and to report the Inquiry Officer's recommendations to Regional Council for its consideration;
- E) That authority be granted to the Regional Clerk and Regional Chair to execute any notices and forms as may be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26 to give effect to Recommendation D) in this report, including the Notices of Application of Approval to Expropriate; and
- F) That all agreements and reports required for amicable property acquisitions and all agreements and reports required for settlements pursuant to the Expropriations Act R.S.O. 1990, c. E.26 related to the acquisition of property for the construction of road improvements required as part of the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection project in the City of Oshawa remain confidential on a go-forward basis in accordance with Section 239 (2)(c) of the Municipal Act as it relates to a proposed or pending acquisition or disposition of land for Regional Corporation purposes, and only be released publicly by the Commissioner of Works once all claims for compensation have been resolved on a complete and full and final basis.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to provide details and seek authorization to award Request for Proposal (RFP) #1006-2019 to R.V. Anderson Associates Limited to provide engineering services to undertake the detailed design for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection, in the City of Oshawa (Oshawa). Dollar amounts followed by an asterisk (*) include disbursements and are before applicable taxes.
- 1.2 This report also seeks approval for Regional Municipality of Durham (Region) staff to commence Expropriation Proceedings, if necessary, where negotiations are unsuccessful.

2. Background

- 2.1 Both Gibb Street and Olive Avenue are referred to as Regional Road 59 and are east-west arterial roads, located in Oshawa. Gibb Street extends from the Oshawa boundary just west of Thornton Road (Regional Road 52) to Simcoe Street (Regional Road 2). Olive Avenue extends from Simcoe Street (Regional Road 2) east to Townline Road (Regional Road 55) at the eastern boundary of Oshawa.
- 2.2 The Durham Regional Official Plan (ROP) designates Regional Road 59 as a Type C arterial. The Region completed a Class Environmental Assessment Study Report (EA) for the Gibb Street – Olive Avenue Connection from Stevenson Road (Regional Road 53) to Ritson Road (Regional Road 16) in January 2011. The segments of Gibb Street and Olive Avenue within the project limits are primarily two-lane urbanized streets and pass through urban areas with built residential subdivisions and commercial and institutional developments adjacent to the road.
- 2.3 This project includes widening of Gibb Street from 2 to 4 lanes from Stevenson Road to Simcoe Street and constructing a new 4 lane connection from Simcoe Street to Ritson Road (including widening of Olive Avenue between Drew Street and Ritson Road). The proposed work at Ritson Road will require widening of Olive Avenue on the east side of Ritson Road to Oshawa Boulevard. The project also includes a multi-use path on the south side of Gibb Street from Stevenson Road to Ritson Road, in accordance with the Regional Cycling Plan.
- 2.4 In order to facilitate future road construction, the Region has been purchasing properties along the Gibb Street – Olive Avenue corridor as they have become available on a willing buyer/willing seller basis.
- 2.5 This project is identified in the approved 2019 Roads Capital Budget for construction in 2021 for the Gibb Street (Stevenson Road to Simcoe Street) section and 2024 for the Olive Avenue (Simcoe Street to Ritson Road) section.

3. Request for Proposal #1006-2019

- 3.1 RFP #1006-2019 to provide engineering services to undertake the detailed design and tender preparation for the widening of Gibb Street from Stevenson Road to Simcoe Street and constructing a connection from Simcoe Street to Ritson Road between Gibb Street and Olive Avenue, along with the associated work was issued and advertised publicly on June 21, 2019, through the Region's website.

- 3.2 The RFP closed on August 8, 2019. The RFP resulted in the submission of seven (7) compliant proposals from the following firms:
- Associated Engineering (Ont.) Ltd.
 - CIMA Canada Inc.
 - Exp Services Inc.
 - GHD Limited
 - LEA Consulting Ltd.
 - R.V. Anderson Associates Limited
 - The Municipal Infrastructure Group
- 3.3 The proposals were evaluated by a team comprised of staff from the Works Department. The Region's Purchasing Section of the Finance Department oversaw the evaluation process.
- 3.4 All seven (7) proposals were deemed compliant; and were reviewed and evaluated in accordance with the evaluation criteria outlined in the RFP, which consisted of the following elements:
- Company and Work Team Qualifications and Experience (40%)
 - Project Management, Approach & Methodology (50%)
 - Pricing (10%)
 - References (Pass / Fail)
- 3.5 Based on an overall technical and financial evaluation of the proposals by the evaluation committee, it is recommended that the highest scoring proponent, R.V. Anderson Associates Limited be awarded the engineering services assignment.

4. Financial Implications

- 4.1 Section 9.4.1 of the Region's Purchasing By-Law 68-2000 (Amended) requires that where the project or annual value of a consulting or professional service assignment is expected to be more than \$60,000, approval of Regional Council is required for the award of the assignment when proposals are obtained.
- 4.2 Funding for the engineering services assignment to undertake engineering services to undertake the Detailed design for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) connection in Oshawa in an amount not to exceed \$996,932* is available within the approved capital project budgets. The

funding available in the approved capital budgets is \$7,267,350 (Projects R0604 and R0116).

5. Property Acquisitions

5.1 Approximately 122 properties have been identified as required to facilitate the proposed road improvements with 68 properties acquired to date.

5.2 Moving forward, the Region will need to acquire both full parcels and portions of the remaining parcels to facilitate the works. Regional staff may need to consider the option to commence the expropriation process in order to complete land acquisitions should amicable agreements not be reached.

5.3 Property acquisitions will be completed for this project at varying times. Staff recommends that compensation details for any future land acquisitions for the construction of road improvements to support the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) connection project not be made public until all remaining land acquisitions are complete and all claims settled on a full and final basis, as this information might negatively impact negotiations.

6. Conclusion

6.1 It is recommended that Request for Proposal #1006-2019 be awarded to R.V. Anderson Associates Limited to provide engineering services to undertake the detailed design for the Gibb Street (Regional Road 59) – Olive Avenue (Regional Road 59) Connection, in the City of Oshawa, at an upset limit not to exceed \$996,932*.

6.2 Regional Municipality of Durham staff will continue to negotiate with the property owners in an attempt to acquire the necessary property. Should these negotiations fail, the approval sought in this report will permit staff to commence expropriation proceedings to ensure that the timelines are met allowing this project to proceed to construction.

6.3 If Regional Municipality of Durham staff exercise the option of commencing expropriation pursuant to the authority being sought through this report, staff will report back further to Regional Council to seek authority for the next stage which will be expropriation of the property requirements and serving the next set of notices on affected property owners as would be statutorily mandated by the Expropriations Act R.S.O. 1990, c. E.26.

6.4 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendations. This report has also been reviewed by Corporate Services – Legal Services.

6.5 For additional information, please contact Andrew Janes, Project Manager, Transportation Design, at 905-668-7711, ext. 3517.

7. Attachments

Attachment #1: Property Requirements – Gibb Street – Olive Avenue Connection Project, City of Oshawa – Maps 1 to 4

Respectfully submitted,

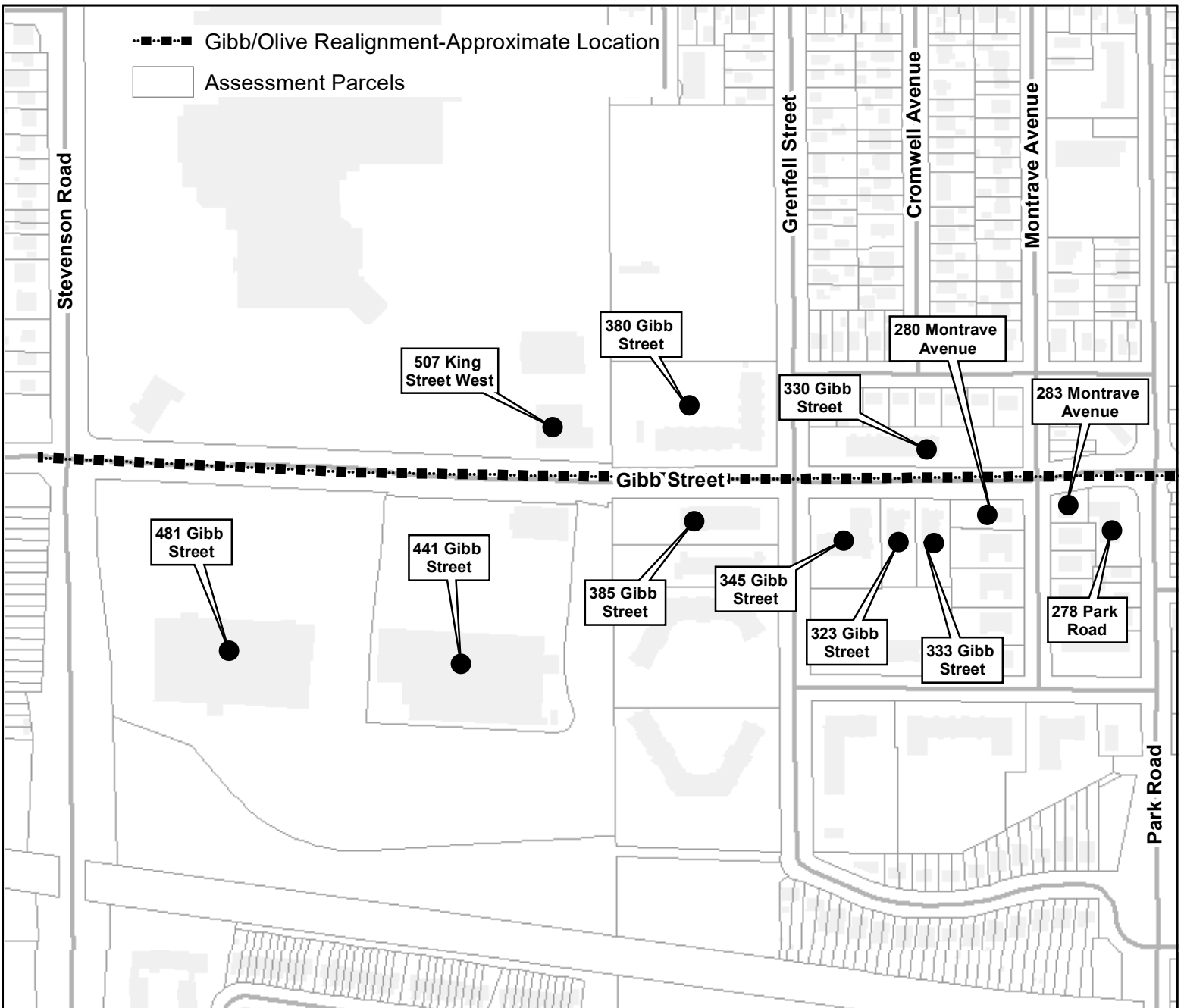
Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

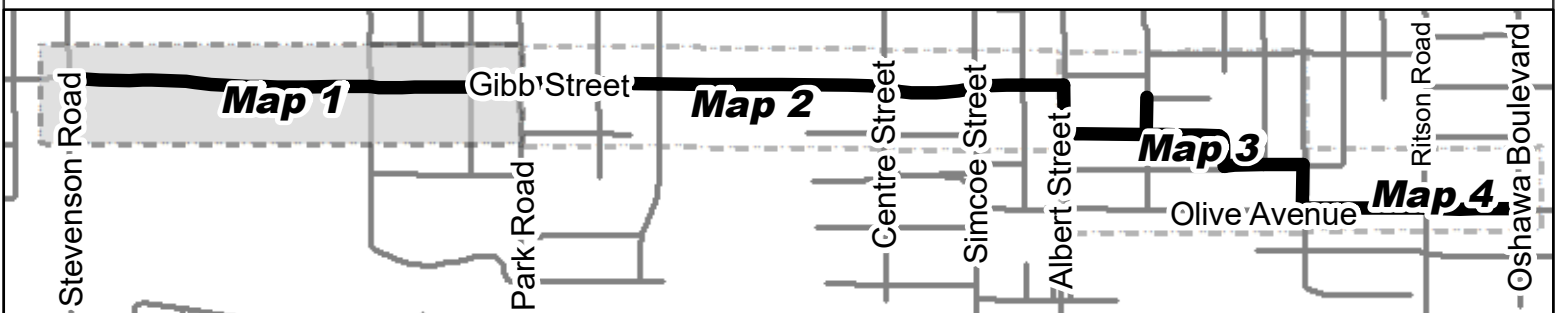
Recommended for Presentation to Committee

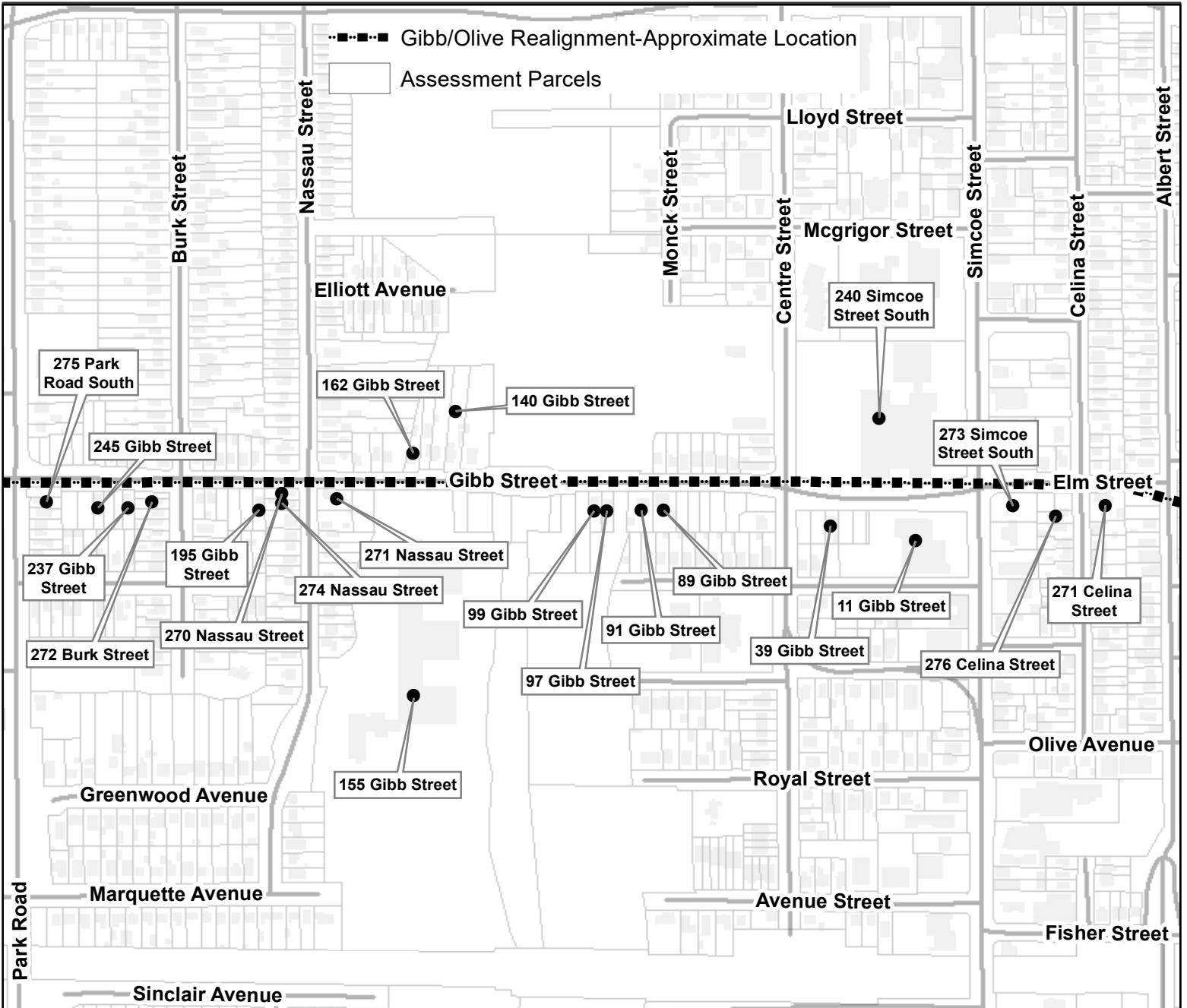
Original signed by

Elaine Baxter-Trahair
Chief Administrative Officer

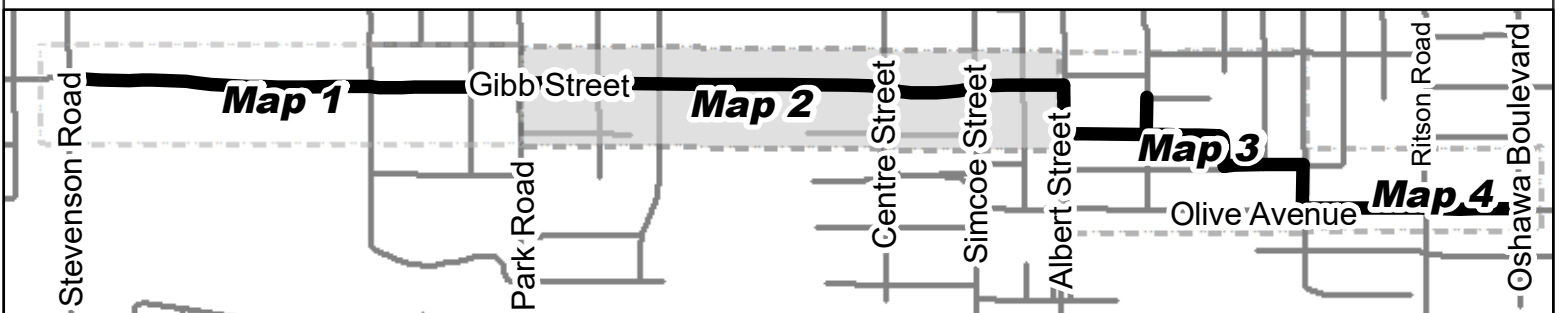


Attachment #1: Property Requirements Gibb Street – Olive Avenue Connection Project, City of Oshawa – Map 1





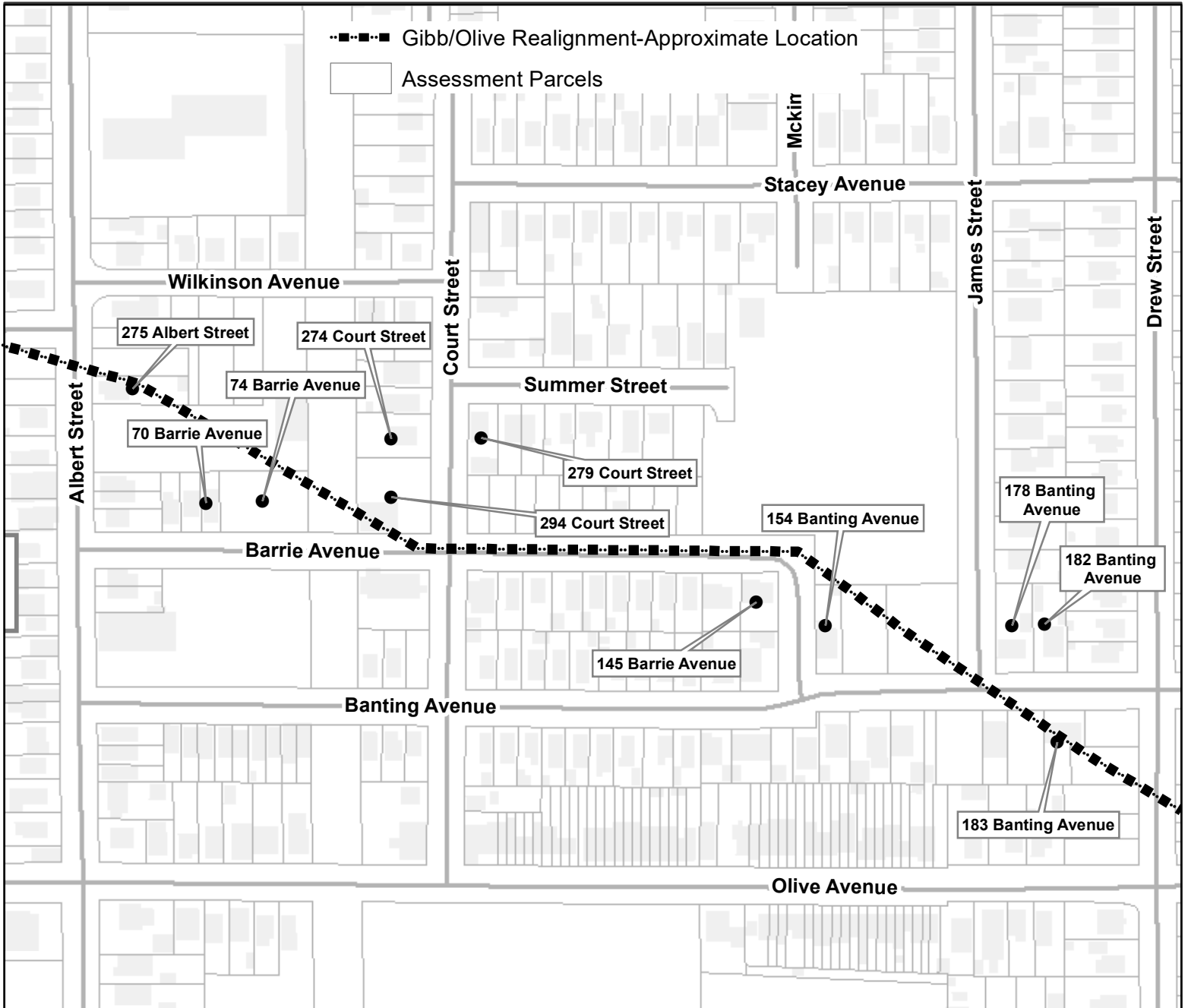
Attachment #1: Property Requirements Gibb Street – Olive Avenue Connection Project, City of Oshawa – Map 2



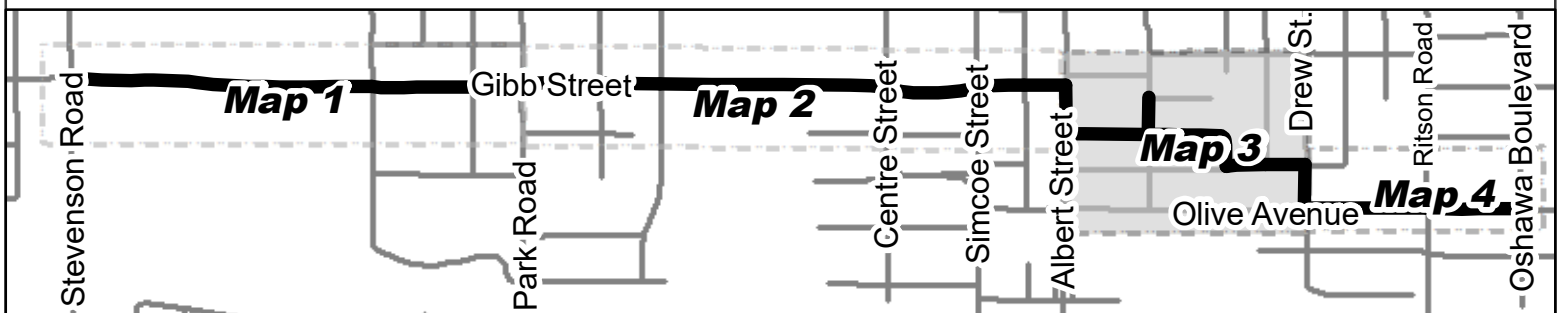
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Date: 11/5/2019

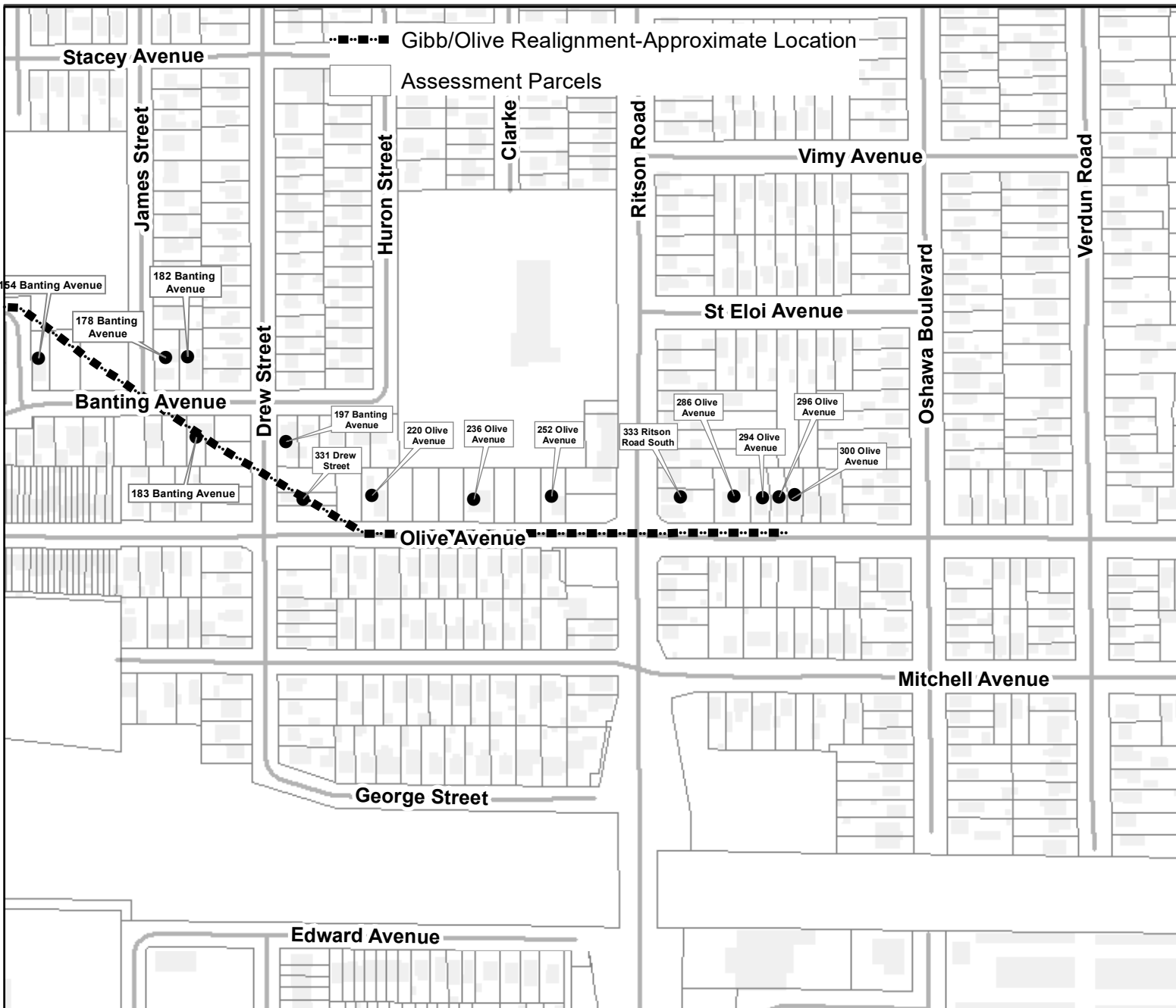


Attachment #1: Property Requirements Gibb Street – Olive Avenue Connection Project, City of Oshawa – Map 3

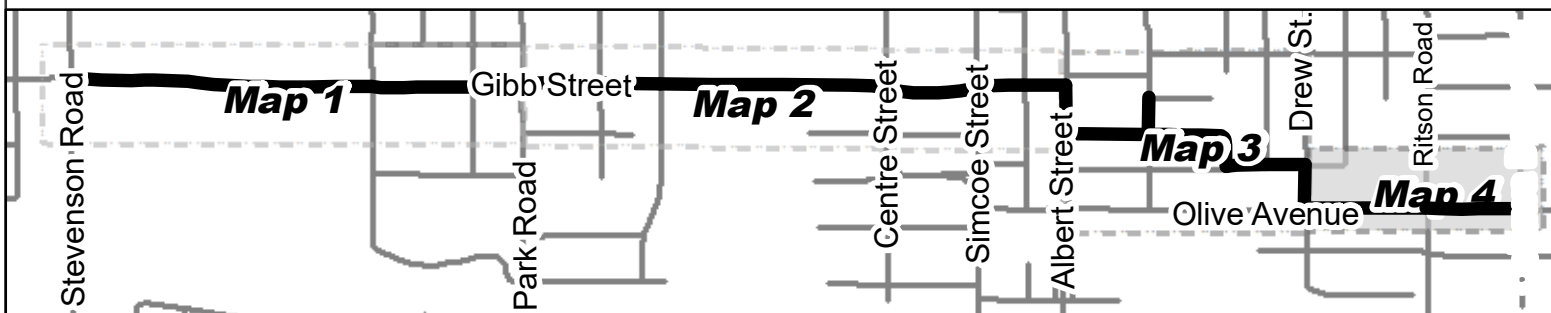


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Attachment #1: Property Requirements Gibb Street – Olive Avenue Connection Project, City of Oshawa – Map 4



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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-92](#)
Date: December 4, 2019

Subject:

Approval to Award a Sole Source Agreement for Annual Vehicle Hoist Inspection and Periodic Preventative Maintenance of Steril Koni Vehicle Hoists in Use at the Durham Region Transit Facilities

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That a sole source agreement be authorized to Novaquip Lifting Systems to perform annual vehicle hoist inspection and manufacturer recommended preventative maintenance effective January 1, 2020 for a term not to exceed six (6) years to ensure safety and reliability of the vehicle hoists at the Durham Region Transit facilities at an estimated total contract value of \$311,175* for a period of six years; and
 - B) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Regional Municipality of Durham (Region) Council's authorization to execute a sole source agreement with Novaquip Lifting Systems to perform annual vehicle hoist inspection and periodic manufacturer preventative maintenance to ensure safety and reliability of the Steril Koni vehicle lifting hoists in use at Durham Region Transit facilities. Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The Region's five (5) Works Depots and two (2) Durham Region Transit facilities conduct in house repairs of Regional vehicles and transit busses. There are thirty-four (34) vehicle lifting hoists installed for use at the Regional Works Depots and Transit facilities used to deliver the maintenance activities.
- 2.2 The Region's Corporate Health and Safety Section along with Operations staff recommended that as a best practice to protect the safety of workers and the integrity of assets, annual hoist inspections should be conducted by Automotive Lift Institute (ALI) certified inspectors. A preventative maintenance program was also initiated to reduce the amount of reactive maintenance undertaken on this equipment.

3. Sole Source Justification

- 3.1 There are 20 vehicle lifting hoists installed and in use at the Durham Region Transit facilities, of which, seventeen (17) units are manufactured by Stertil Kone. The Regional Works Depots do not utilize any Stertil Kone models; therefore, the scope of this requested authorization pertains specifically to periodic maintenance of Stertil Kone vehicle hoists installed and in use at Durham Transit facilities only.
- 3.2 In January 2018, the Region received confirmation from Stertil Kone that Novaquip Lifting Systems is the sole authorized distributor, factory authorized installer and service provider for Stertil Kone vehicle hoists in the territories of Ontario, Quebec, Newfoundland, Prince Edward Island, New Brunswick and Nova Scotia. All other hoist manufacturers do not stipulate a restriction on distribution, installation and service.
- 3.3 While the annual inspection by a certified ALI inspector can be performed by any certified ALI inspector, for efficiency and continuity of service on the equipment, it is recommended that the certified ALI inspectors employed by Novaquip Lifting Systems be authorized to provide the service of annual inspection on Stertil Kone units.
- 3.4 All other manufacturer equipment has been incorporated into a separate scope of work and the provision for annual vehicle hoist inspection and periodic manufacture recommended maintenance for these hoists will be issued for public tender.

4. Financial Implications

- 4.1 The Region's Purchasing By-law #68-2000 (Amended), Section 8, permits the acquisition of goods and services through sole source negotiations. The by-law also requires approval by the appropriate standing committee and Council for the award of sole source contracts that exceed \$125,000 in value.
- 4.2 Financing for the provision of annual vehicle hoist inspection and periodic preventative maintenance of Steril Koni vehicle hoists at an estimated value of \$51,863* annually is available within the approved Durham Region Transit Operating Budgets for the various facilities.

5. Conclusion

- 5.1 It is recommended that a sole source agreement be authorized to Novaquip Lifting Systems to perform annual vehicle hoist inspection and manufacturer recommended preventative maintenance effective January 1, 2020 for a term not to exceed six (6) years to ensure safety and reliability of the vehicle hoists at the Durham Region Transit facilities at an estimated total contract value of \$311,175* for a period of six years, with financing provided from the annually approved Durham Region Transit Operating Budget for various facilities.
- 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 Devi Richards, Supervisor, Maintenance Projects and Contracts, at 905-668-0250.

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of XXXXX

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-93](#)
Date: December 4, 2019

Subject:

Amendments to Regional Traffic and Parking By-Law #44-2006

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That Corporate Services - Legal Services be directed to prepare a by-law to amend By-Law #44-2006, generally in the form included as Attachment #1 to this report, for presentation to Regional Council for consideration; and
 - B) That staff be authorized to take all steps required and necessary to implement the amendments contemplated to By-Law #44-2006 as indicated in the form included as Attachment #1.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to amend Regional Traffic and Parking By-Law #44-2006 as is periodically required to authorize staff to make changes to traffic regulations. As such, it is necessary that the Works Committee and Regional Council approve the recommendations in this report for Corporate Services – Legal Services to prepare an amending by-law.

2. Background

2.1 Traffic and Parking By-Law #44-2006 was last consolidated on July 5, 2006. It has been updated several times since its introduction to combine additional changes in traffic regulations and amend the appropriate schedules within the by-law. The last such update was passed on October 23, 2019.

3. Discussion

3.1 The following amendments to Traffic and Parking By-Law #44-2006 are proposed:

- a. One-Way Traffic Lanes – Traffic Operations – Regional Road 25 (Consumers Drive), Town of Whitby
 - A change to Schedule X is required to modify existing lane designation signage and pavement markings to change the westbound center left-turn lane to a shared left-straight through turn lane on Regional Road 25 (Consumers Drive) at Brock Street/King's Highway 401 westbound on-ramp. The change is required to reflect modifications to the interchange and re-alignment of the ramp with Regional Road 25.
- b. Prohibited Turns – Traffic Operations - Regional Road 29 (Liverpool Road), City of Pickering
 - An addition to Schedule XI is required to prohibit a northbound left-turn movement at the north end of the raised median island on Regional Road 29 (Liverpool Road) north of Regional Road 22 (Bayly Street) due the proximity to traffic control signal operations.
- c. Stop Signs – Traffic Operations – Regional Road 12 (Cameron Street), Township of Brock
 - An addition to Schedule XIV is required to include a new all-way stop at the intersection of Regional Road 12 (Cameron Street) at Laidlaw Street in Cannington. This change is requested by Township of Brock to assist visually impaired pedestrian crossing Cameron Street at Laidlaw Street and to improve traffic operations.
- d. Maximum Rate of Speed – Durham Vision Zero – Regional Road 11 (Sandford Road), Township of Uxbridge

- A change to Schedule XVI is required to extend the geographic limits of the existing 60 km/hr posted speed limit. This change is required to facilitate the existing community safety zone and proper speed limits.
- e. Maximum Rate of Speed – Durham Vision Zero – Regional Road 15 (Simcoe Street), Township of Brock
- A change to Schedule XVI is required to decrease the posted speed limit from 70 km/hr to 60 km/hr on Regional Road 15 (Simcoe Street) from Thorah Concession 5 to 1.2 km east of Highway 12. The change is required to implement the results of a speed study conducted on Regional Road 15.
- f. Maximum Rate of Speed – Development Related - Regional Road 24 (Church Street), City of Pickering
- A change to Schedule XVI is required to decrease the posted speed limit from 70 km/hr to 60 km/hr on Regional Road 24 (Church Street) from Regional Road 22 (Bayly Street) to Kellino Street. The change is required to implement the results of a speed zone study on Regional Road 24 near the new Durham Live development.
- g. Maximum Rate of Speed – Durham Vision Zero –Regional Road 27 (Altona Road), City of Pickering
- A change to Schedule XVI is required to decrease the posted speed limit from 60 km/hr to 50 km/hr on Regional Road 27 (Altona Road) from Regional Highway 2 (Kingston Road) to Waterford Gate to introduce a new community safety zone and facilitate the installation of Automated Speed Enforcement (ASE).
- h. Maximum Rate of Speed – Durham Vision Zero - Regional Road 33 (Harmony Road), City of Oshawa
- A change to Schedule XVI is required to extend the existing posted 60 km/hr speed limit zone on Harmony Road from Delpark Homes Centre to Conlin Road to implement the results of a speed zone study and reflect new development in the area.
- i. Speed Zones in School Areas – Durham Vision Zero – Regional Road 27 (Altona Road), City of Pickering

- A change to Schedule XX is required to remove the flashing 50 km/hr school zone at Elizabeth B. Phin Public School. This change is required to eliminate the time of day flashing 50 km/hr school zone signal operation and replace it with a permanent 50 km/hr speed limit as per Section 3.1 g.
- j. Community Safety Zones – Durham Vision Zero – Regional Road 2 (Simcoe Street), City of Oshawa
- A change to Schedule XXI is required to extend the existing community safety zone on Regional Road 2 (Simcoe Street) to facilitate the installation of ASE.
- k. Community Safety Zones – Durham Vision Zero – Regional Road 11 (Sandford Road), Township of Uxbridge
- A change to Schedule XXI is required to change the existing zone community safety limits from 60 metres west of Lundy Drive to 60 metres east of Lundy Drive. This change is required to facilitate the ASE operation.
- l. Community Safety Zones – Durham Vision Zero – Regional Road 12 (Cameron Street), Township of Brock
- A change to Schedule XXI is required to extend the existing community safety zone on Regional Road 12 (Cameron Street) to facilitate the installation of ASE.
- m. Community Safety Zone – Durham Vision Zero – Regional Road 33 (Harmony Road), City of Oshawa
- A change to Schedule XXI is required to extend the existing community safety zone on Regional Road 33 (Harmony Road) to facilitate the installation of ASE.
- n. Community Safety Zone – Durham Vision Zero - Regional Road 53 (Stevenson Road), City of Oshawa
- A change to Schedule XXI is required to extend the existing community safety zone on Regional Road 53 (Stevenson Road) to facilitate the installation of ASE.

- o. Community Safety Zone – Durham Vision Zero – Regional Road 58 (Adelaide Avenue), City of Oshawa
 - A change to Schedule XXI is required to extend the existing community safety zone on Regional Road 58 (Adelaide Avenue) to facilitate the installation of ASE.
- p. Community Safety Zone – Durham Vision Zero – Regional Highway 2, Municipality of Clarington
 - A change to Schedule XXI is required to extend the existing community safety zone on Regional Highway 2 to facilitate the installation of ASE.

4. Conclusion

- 4.1 The proposed amendments to Traffic and Parking By-Law #44-2006 reflect the legislative changes to traffic regulations on Regional roads, as periodically required to ensure conformance with changes in traffic management strategies and road improvements.
- 4.2 This report has been reviewed by the Legislative Services and Legal Services Divisions of the Corporate Services Department.
- 4.3 For additional information, please contact Steven Kemp, Manager, Traffic Engineering and Operations at 905-668-7711 ext. 4701.

5. Attachments

Attachment #1: Amendments to Regional Traffic and Parking By-Law #44-2006

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine 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 Schedule X (One-Way Traffic Lanes) be further amended by **deleting** therefrom the following:

COLUMN 1 Highway	COLUMN 2 Between	COLUMN 3 Lanes	COLUMN 4 Times or Days	COLUMN 5 Direction	Amending By-Law Number and Date
Regional Road 25 (Consumers Drive)	Brock Street and Paisley Court	Centre Westbound	Anytime	Westbound Left-turning	Added by By-law 55-2012 December 12, 2012

2. That Schedule X (One-Way Traffic Lanes) be further amended by **adding** thereto the following:

COLUMN 1 Highway	COLUMN 2 Between	COLUMN 3 Lanes	COLUMN 4 Times or Days	COLUMN 5 Direction	Amending By-Law Number and Date
Regional Road 25 (Consumers Drive)	Brock Street and Paisley Court	Centre Westbound	Anytime	Westbound Left-turning and Westbound Through	

3. That Schedule XI (Prohibited Turns) be further amended by **adding** thereto the following:

Column 1 Intersection or Portion of Highway	Column 2 Direction	Column 3 Turns Prohibited	Column 4 Times or Days	Amending By- Law Number and Date
Regional Road 29 (Liverpool Road) at 1300 Bayly Street, 60m north of Bayly Street	Northbound	Left	Anytime	

4. That Schedule XVI (Maximum Rate of Speed) be further amended by **deleting** thereof the following:

COLUMN 1 Regional Road Number	COLUMN 2 Local Name (s)	COLUMN 3 From	COLUMN 4 To	COLUMN 5 Maximum Rate of Speed	Amending By-Law Number and Date
Regional Road 11	Sandford Road	Regional Road 30 (York-Durham Line)	25 m west Lundy Drive	80 km/h	
Regional Road 11	Sandford Road	25 m west of Lundy Drive	710 m east of Smith Drive	60 km/h	
Regional Road 12	Cameron Street	1.6 km west of Brock Sideroad 18	600 m west of Brock Sideroad 18	70 km/h	
Regional Road 15	Simcoe Street	650 m west of Thorah Concession Road 5	Thorah Concession Road 5	60 km/h	Added by By-law 37- 2019 June 26, 2019
Regional Road 15	Simcoe Street Regional Road 15	Thorah Concession Road 5	1.1 km east of King's Highway No. 12	70 km/h	Added by By-law 37- 2019 June 26, 2019
Regional Road 15	Regional Road 15	1.1 km east of King's Highway No. 12	East boundary of the Region of Durham	80 km/h	
Regional Road 24	Church Street	Regional Road 22 (Bayly Street)	250 m north of Kellino Street	70 km/h	Added by By-law 28- 2015 June 3, 2015

COLUMN 1 Regional Road Number	COLUMN 2 Local Name (s)	COLUMN 3 From	COLUMN 4 To	COLUMN 5 Maximum Rate of Speed	Amending By-Law Number and Date
Regional Road 27	Altona Road	Regional Highway 2 (Kingston Road)	Waterford Gate	60 km/h	Added by By-law 35-2013 June 26, 2013
Regional Road 33	Harmony Road	1.0 km north of Regional Road 4 (Taunton Road)	Regional Road 3 (Winchester Road)	80 km/h	

5. That Schedule XVI (Maximum Rate of Speed) be further amended by **adding** thereto the following:

COLUMN 1 Regional Road Number	COLUMN 2 Local Name (s)	COLUMN 3 From	COLUMN 4 To	COLUMN 5 Maximum Rate of Speed	Amending By-Law Number and Date
Regional Road 11	Sandford Road	Regional Road 30 (York-Durham Line)	25 m east Lundy Drive	80 km/h	
Regional Road 11	Sandford Road	25 m east of Lundy Drive	710 m east of Smith Drive	60 km/h	
Regional Road 12	Cameron Street	1.6 km west of Brock Sideroad 18	600 m west of Brock Sideroad 18	60 km/h	
Regional Road 15	Simcoe Street Regional Road 15	650 m west of Thorah Concession Road 5	1.2 km east of King's Highway No. 12	60km/h	
Regional Road 15	Regional Road 15	1.2 km east of King's Highway No. 12	East boundary of Region of Durham	80 km/h	
Regional Road 24	Church Street	Regional Road 22 (Bayly Street)	250 m north of Kellino Street	60 km/h	
Regional Road 27	Altona Road	Regional Highway 2 (Kingston Road)	Twyn Rivers Drive / Sheppard Avenue	50 km/h	

COLUMN 1 Regional Road Number	COLUMN 2 Local Name (s)	COLUMN 3 From	COLUMN 4 To	COLUMN 5 Maximum Rate of Speed	Amending By-Law Number and Date
Regional Road 27	Altona Road	Twyn Rivers Drive / Sheppard Avenue	Waterford Gate	60 km/h	
Regional Road 33	Harmony Road	1.0 km north of Regional Road 4 (Taunton Road)	Conlin Road	60 km/h	
Regional Road 33	Harmony Road	Conlin Road	Regional Road 3 (Winchester Road)	80 km/h	

6. THAT Schedule XX (Speed Zones in School Areas) be further amended by **deleting** therefrom the following:

COLUMN 1 Highway	COLUMN 2 Between	COLUMN 3 Times of Day	COLUMN 4 Maximum Speed	Amending By-Law Number and Date
Regional Road 12 (Cameron Street)	845 m west of Brock Sideroad 18A and 1425 m west of Brock Sideroad 18A	When indicated by flashing signals on school speed zone limit official sign	50 km/h	Added by By-law 60-2007 October 10, 2007
Regional Road 27 (Altona Road)	Fiddlers Court to 75 m north Littleford Street / Rougemount Drive	When indicated by flashing signals on school speed zone limit official sign	50 km/h	Added by By-law 29-2014 June 4, 2014
Regional Road 37 (Finch Avenue)	129 m east of Dixie Road and 94 m east of Maple Ridge Drive / Bowler Drive	When indicated by flashing signals on school speed zone limit official sign	50 km/h	

7. THAT Schedule XXI (Community Safety Zones) be further amended by **deleting** therefrom the following:

COLUMN 1 Highway	COLUMN 2 Between	COLUMN 3 Time of Day	COLUMN 4 Days/Month of Year	Amending By-Law Number and Date
Regional Road 2 (Simcoe Street)	Arlington Avenue and Regional Road 28 (Rossland Road)	Anytime	All days/months	Added By-law 13-2018 March 21, 2018
Regional Road 12 (Cameron Street)	600 m west of Brock Sideroad 18 and 650 m west of	Anytime	All days/months	Added by By-law 29-2014 June 4, 2014

COLUMN 1 Highway	COLUMN 2 Between	COLUMN 3 Time of Day	COLUMN 4 Days/Month of Year	Amending By-Law Number and Date
	Regional Road 2 (Simcoe Street)			
Regional Road 33 (Harmony Road)	Eastbourne Avenue and 20 m north of Regional Road 58 (Adelaide Avenue)	Anytime	All days/months	
Regional Road 53 (Stevenson Road)	Regional Road 28 (Rossland Road) and Marion Avenue / Elizabeth Street	Anytime	All days/months	
Regional Road 58 (Adelaide Avenue)	20 m west of Regional Road 33 (Harmony Road) and 20 m west of Killdeer Street	Anytime	All days/months	
Regional Highway 2 (Kingston Road)	Regional Road 55 (Townline Road) and Varcoe Road/Darlington Boulevard	Anytime	All days/months	

8. THAT Schedule XXI (Community Safety Zones) be further amended by **adding** thereto the following:

COLUMN 1 Highway	COLUMN 2 Between	COLUMN 3 Time of Day	COLUMN 4 Days/Month of Year	Amending By-Law Number and Date
Regional Road 2	50 m south of Buckingham	Anytime	All days/months	

(Simcoe Street)	Avenue and Regional Road 28 (Rossland Road)			
Regional Road 12 (Cameron Street)	1.6 km west of Brock Sideroad 18A and 650 m west of Regional Road 2 (Simcoe Street)	Anytime	All days/months	
Regional Road 33 (Harmony Road)	Regent Drive and 20 m north of Regional Road 58 (Adelaide Avenue)	Anytime	All days/months	
Regional Road 53 (Stevenson Road)	Regional Road 28 (Rossland Road) and Regional Road 58 (Adelaide Avenue)	Anytime	All days/months	
Regional Road 58 (Adelaide Avenue)	Acadia Drive and Cranberry Street	Anytime	All days/months	
Regional Highway 2	Regional Road 55 (Townline Road) and Centerfield Drive	Anytime	All days/months	

This By-law Read and Passed on the -----th day of -----, 2019.

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

To: Works Committee
From: Commissioner of Works
Report: [#2019-W-94](#)
Date: December 4, 2019

Subject:

Sole Source Engineering Services Agreement for the Class Environmental Assessment and Preliminary Design of Bloor Street East (Regional Road 22) from east of Harmony Road South (Regional Road 33) to Grandview Street South in the City of Oshawa

Recommendation:

That the Works Committee recommends to Regional Council:

A) That the Regional Municipality of Durham enter into a sole source engineering services agreement with AECOM Canada Limited to undertake the Class Environmental Assessment and Preliminary Design of Bloor Street East (Regional Road 22) from east of Harmony Road South (Regional Road 33) to Grandview Street South, in the City of Oshawa at an amount not to exceed \$602,160*; and

B) That the funding for the project in the amount of \$602,160 be provided as outlined below:

Residential Roads Development Charges	\$415,490
Commercial Roads Development Charges	48,173
At the discretion of the Commissioner of Finance (non-DC portion)	<u>138,497</u>
Total	<u>\$602,160</u>

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to enter into a sole source engineering services agreement with AECOM Canada Limited to undertake the Class Environmental Assessment and Preliminary Design of Bloor Street East (Regional Road 22) from east of Harmony Road South (Regional Road 33) to Grandview Street South, in the City of Oshawa (Oshawa). Dollar amounts followed by an asterisk (*) are before applicable taxes and including disbursements.

2. Background

- 2.1 The Ontario Ministry of Transportation (MTO) provided a letter (Attachment #1) to the Region that the reconstruction of the Highway 401/Harmony Road/Bloor Street interchange has recently been added to the MTO capital program. MTO anticipates that construction could start as early as 2023.
- 2.2 AECOM Canada Limited (AECOM) completed an Environmental Assessment (EA) for Highway 401 on behalf of MTO in November 2015 that included the preliminary design for the Highway 401/Harmony Road/Bloor Street interchange.
- 2.3 MTO will be realigning and widening a section of Bloor Street East from Harmony Road South to 600 metres east of Harmony Road South as part of the Highway 401/Harmony Road/Bloor Street interchange reconstruction.
- 2.4 AECOM completed an EA for the GO Transit Oshawa to Bowmanville Rail Service Expansion on behalf of Metrolinx in January 2011. The GO Expansion EA included preliminary design for additional rail lines within the CP rail corridor crossing Bloor Street East to the west of Grandview Street South and a future potential GO Station Site south of Bloor Street East and west of the CP rail corridor.
- 2.5 The 2019 Regional Road Program identified the realignment and widening of Bloor Street East from east of Harmony Road South to Grandview Street South with construction funding in 2025 and EA funding in 2021. The Bloor Street East project is planned to include widening to 4/5 lanes, a grade separation over the CP rail corridor west of Grandview Street South and intersection improvements at the intersection of Bloor Street East and Grandview Street South.
- 2.6 The limits of the Region's Bloor Street East project overlap at the west limit with the MTO Highway 401/Harmony Road/Bloor Street interchange project.

- 2.7 Given the recent MTO commitment to the Highway 401/Harmony Road/Bloor Street interchange construction, the Region should complete the Bloor Street East EA as soon as possible to allow the Region and MTO to coordinate design and construction of the respective projects.
- 2.8 Advancing the Bloor Street East EA will also allow for better alignment with the GO Transit Oshawa to Bowmanville Rail Service Expansion. It is desirable to construct the grade separation on Bloor Street East prior to GO service commencing to Bowmanville. If the GO service expansion does not utilize the north CP alignment option, it is still preferable to align the construction of the Bloor Street East and CP Rail grade separation with the MTO interchange construction.

3. Sole Source Justification

- 3.1 AECOM completed both the MTO Highway 401 EA which included the Harmony interchange and the Metrolinx Oshawa to Bowmanville GO Expansion EA. Through this previous work AECOM has completed many studies in this area which can be leveraged for the Bloor Street East EA, therefore reducing costs.
- 3.2 AECOM completed the preliminary design for the MTO and Metrolinx projects, giving them in-depth knowledge of the design requirements for each stakeholder.
- 3.3 With the MTO EA and Metrolinx EA already completed, the Region needs to progress quickly with the Bloor Street East EA to align design and construction timing with MTO and Metrolinx. Direct assignment to AECOM will expedite completion of the Region's EA work. The previous EA and preliminary design work completed by AECOM for MTO, Metrolinx, CP Rail and the various other agencies will improve coordination between the multiple stakeholders and agencies for the Bloor Street East EA.

4. Financial Implication

- 4.1 Section 9.4.2 of the Region's Purchasing By-Law 68-2000 (Amended) requires approval of Regional Council to award an assignment as a sole source where the project or annual value of a consulting or professional service assignment is expected to be more than \$60,000*.

4.2 The funding for this project in the amount of \$602,160 will be provided as follows:

Residential Roads Development Charges	\$415,490
Commercial Roads Development Charges	48,173
At the discretion of the Commissioner of Finance (non-DC portion)	<u>138,497</u>
Total	<u>\$602,160</u>

4.3 The 2020 Regional Road Program will propose advancing the subsequent design and construction phases of the Bloor Street East project to align with the MTO interchange project.

5. Conclusion

5.1 It is recommended that Regional Council approve the sole source award to AECOM Canada Limited for the Class Environmental Assessment and Preliminary Design of Bloor Street East from east of Harmony Road South to Grandview Street South, in the City of Oshawa, at an upset limit not to exceed \$602,160*.

5.2 This report has been reviewed by the Finance Department.

5.3 For additional information please contact Reid McGregor, Project Manager, at 905-668-7711, extension 3502.

6. Attachments

Attachment #1: Highway 401/Harmony Road/Bloor Street interchange
commitment letter from MTO

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine Baxter-Trahair
Chief Administrative Officer

Ministry of Transportation

Regional Director's Office
Central Region
159 Sir William Hearst Avenue
2nd 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
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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 white background.

Calvin Curtis
(A) Regional Director



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: [#2019-W-95](#)
Date: December 4, 2019

Subject:

Approval of Pre-Qualified Consultants resulting from Pre-Qualification #1002-2019 for Consulting Services for Preliminary and Detailed Design of Segments of Whites Road (Regional Road 38), from Finch Avenue (Regional Road 37) to Taunton Road (Regional Road 4), in the City of Pickering

Recommendations:

That the Works Committee recommends to Regional Council:

- a) That in accordance with Request for Pre-Qualification #-1002-2019, the following consultants be pre-qualified for preliminary and detailed design of segments of Whites Road (Regional Road 38), from Finch Avenue (Regional Road 37) to Taunton Road (Regional Road 4), in the City of Pickering:
 - CH2M Hill Canada Ltd. (operating as Jacobs)
 - GHD Limited
 - HDR Corporation
 - R.V. Anderson Associates Limited

- b) That the Request for Proposal documents for preliminary / detail design of the Whites Road (Regional Road 38) Realignment, from 300 metres south of Pickering Concession Road 3 to Taunton Road (Regional Road 4), including any preliminary design of Whites Road (Regional Road 38) from Finch Avenue (Regional Road 37) to 300 metres south of Concession Road 3 which is required to facilitate this design, be issued only to the above noted consultants.

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval for the pre-qualification of consulting engineers for the preliminary/detail design of the Whites Road (Regional Road 38) Realignment, from 300 metres (m) south of Pickering Concession Road 3 to Taunton Road (Regional Road 4), in the City of Pickering (Pickering) including any preliminary design of Whites Road (Regional Road 38) from Finch Avenue (Regional Road 37) to 300 m south of Concession Road 3 as is required to facilitate this design. The Whites Road (Regional Road 38) Realignment includes a 470 m long bridge over West Duffins Creek.

2. Background

- 2.1 On November 26, 2015 the Regional Municipality of Durham (Region) signed an Agreement, known as the Seaton Phase 1 Regional Infrastructure Front Ending Agreement (RFEA), with landowners of development lands within the Central Pickering Development Plan (CPDP) area in Pickering. The purpose of the RFEA is to facilitate development of the first phase of residential and employment lands within the CPDP or Seaton area in Pickering.
- 2.2 The RFEA itemizes Regional roads, sewer and water projects required to facilitate development of Seaton Phase 1 and allocates cost sharing for landowner and Region constructed projects. The Whites Road (Regional Road 38) Realignment is a Region constructed project with 99 per cent of the design and construction costs to be paid by the Seaton landowners in accordance with the executed RFEA. One per cent of costs are to be paid from the Regional Road Capital Program.
- 2.3 Preliminary / detail design and construction of the segment of Whites Road (Regional Road 38) from Finch Avenue (Regional Road 37) to 300 m south of Concession Road 3, including a grade separation at the Canadian Pacific Railway (CPR) is identified as beyond Seaton Phase 1 (Attachment #1). Cost-sharing for design and construction of this segment is subject to future negotiations with the Seaton landowners, however some preliminary engineering is required within this segment as part of the preliminary / detail design for the segment from 300 m south of Concession Road 3 to Taunton Road (Regional Road 4).

3. Pre-Qualification of Consultants

- 3.1 The Request for Pre-Qualification (RFPQ) #1002-2019 for consulting services was issued on May 7, 2019 and closed on June 18, 2019.
- 3.2 Eight (8) responses were received from the following firms:
- AECOM Canada Ltd.
 - CH2M Hill Canada Ltd. (operating as Jacobs)
 - GHD Limited
 - HDR Corporation
 - Morrison Hershfield Limited
 - Parsons Inc.
 - R.V. Anderson Associates Limited
 - SNC-Lavalin Inc.
- 3.3 The evaluation committee was comprised of staff from different divisions of the Region's Works Department. The Purchasing Section of the Finance Department oversaw the evaluation process.
- 3.4 The evaluation of the responses was based on criteria contained within the RFPQ, including:
- Project Team Qualifications and Experience (60%);
 - Project Understanding and Project Management Approach (30%);
 - Company's Overall Qualifications and Experience (10%); and
 - References (pass/fail criterion)
- 3.5 All respondents were required to meet the minimum threshold score of 75 percent for the Project Team Qualifications and Experience evaluation criteria to be pre-qualified.

3.6 The results of the evaluation process generated the following list of four (4) consultants that met the minimum threshold score and are recommended for preliminary / detail design of the Whites Road (Regional Road 38) Realignment, from 300 m south of Pickering Concession Road 3 to Taunton Road (Regional Road 4), including any preliminary design of Whites Road (Regional Road 38) from Finch Avenue (Regional Road 37) to 300 m south of Concession Road 3 which is required to facilitate this design:

- CH2M Hill Canada Ltd. (operating as Jacobs)
- GHD Limited
- HDR Corporation
- R.V. Anderson Associates Limited

4. Financial Implications

4.1 Section 14.3 of the Purchasing By-law #68-2000 (Amended) requires that where the value of work exceeds \$125,000, the approval of the applicable Standing Committee and Regional Council is required when the pre-qualification process is used.

4.2 The described work is a Region constructed project outlined in the Seaton RFEA. This agreement allocates 99 per cent of the costs for design and construction of the Whites Road (Regional Road 38) Realignment from 300 m south of Concession Road 3 to Taunton Road (Regional Road 4) to the Seaton landowners, with the Region contribution (approximately one percent of project costs) to be funded from the Regional Road Capital Program. Regional funding for its share of design costs is identified in the Regional Road Program 2020 Capital Budget and Nine-Year Forecast. Detailed allocation of project costs will be provided in a subsequent report for the award of the consulting assignment following receipt and evaluation of proposals.

5. Conclusion

- 5.1 It is recommended that Regional Council approve the list of pre-qualified consultants to receive Request for Proposal documents for preliminary / detail design of the Whites Road (Regional Road 38) Realignment, from 300 metres south of Pickering Concession Road 3 to Taunton Road (Regional Road 4), including any preliminary design of Whites Road (Regional Road 38) from Finch Avenue (Regional Road 37) to Concession Road 3 which is required to facilitate this design, in the City of Pickering.
- 5.2 For additional information, please contact James Garland, Project Manager, Transportation Design at 905-668-7711, extension 3439.
- 5.3 This report has been reviewed by the Finance Department.

6. Attachment

Attachment #1: Drawing – Whites Road Realignment

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

SEATON

TAUNTON ROAD

EXISTING
TWELVETREES
BRIDGE

TAUNTON ROAD

HYDRO ONE

ROSEBANK ROAD

WHITES ROAD

WHITES ROAD REALIGNMENT
PRELIMINARY / DETAIL DESIGN

HYDRO ONE

HIGH
LEVEL
BRIDGE



PETER MATTHEW'S DRIVE

WEST DUFFINS CREEK

THIRD CONCESSION ROAD

CPR

HYDRO ONE

CITY
OF
PICKERING

WHITES ROAD
PRELIMINARY DESIGN ONLY

CPR

FUTURE
GRADE
SEPARATION

CHERRYWOOD
TRANSFORMER
STATION

DIXIE ROAD

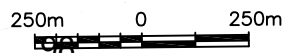
HYDRO ONE

HYDRO ONE

FAIRPORT ROAD

FINCH AVENUE

WHITES ROAD REALIGNMENT



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-96](#)
Date: December 4, 2019

Subject:

Class Environmental Assessment to Assess Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant – Minister of the Environment Conservation and Parks Decision

Recommendation:

That the Works Committee recommends to Regional Council that Regional staff implement the conditions imposed by the Minister of the Environment Conservation and Parks decision regarding the Class Environmental Assessment to Assess Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant in the City of Pickering in collaboration with the Region of York, Town of Ajax and the City of Pickering.

Report:

1. Purpose

1.1 The purpose of this report is to inform Regional Council of the Minister of the Environment Conservation and Parks (MECP) decision regarding the Class Environmental Assessment (EA) to Assess Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant in the City of Pickering.

2. Overview

2.1 The Regional Municipalities of York (York) and Durham (Durham) filed the Environmental Study Report (ESR) documenting the Class EA to Assess Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant in the City of Pickering in November 2013. The filing of the ESR included a public review period

during November 19, 2013 to February 17, 2014. During the review period the MECP received 90 Part II Order requests to conduct an Individual EA for the project.

- 2.2 On April 2016, the Minister of MECP ordered the Regions to conduct a Phosphorous Reduction Action Plan (PRAP). The PRAP study and plant process testing was completed between April 2016 to 2017. The report was submitted to the MECP in January 2018.

3. Decision

- 3.1 On November 7, 2019, the Regions of York and Durham received a decision on the Outfall EA from the Minister of MECP. The Minister's decision noted that an individual EA is not required. The Minister has identified the following conditions to ensure additional scientific work and consultation is undertaken:

1) General Requirements

- The proponents shall implement the commitments made in the Phosphorus Reduction Action Plan Study, except as provided in these conditions or as provided in an environmental compliance approval.
- The proponents shall provide the Director of the Environmental Assessment and Permissions Branch with annual updates in writing on the implementation of the commitments outlined in the Phosphorus Reduction Action Plan Study, until such time that the director indicates to the proponents in writing that further updates are not required.

2) Monthly Monitoring and Public Reporting

- The proponents shall post on the project website, on a monthly basis, the average total phosphorus and soluble reactive phosphorus effluent concentrations for the Duffin Creek Water Pollution Control Plant.

3) Advisory Committee

- The proponents shall establish and manage an advisory committee for the purposes of consultation on the implementation of the Phosphorus Reduction Action Plan Study.

- Within one month of the date of the Minister's decision, the proponents shall invite representatives from the following list to participate on the advisory committee:
 - The Town of Ajax
 - The City of Pickering
 - Pickering Ajax Citizens Together Protecting Our Waterfront
 - Other local municipalities within Durham Region and York Region with an interest in the project
 - Local conservation authorities
- The advisory committee shall include at least one representative from each of the Regional Municipality of York and the Regional Municipality of Durham.
- The Ministry's Central Region, through the Regional Director's Office, shall be invited to attend all advisory committee meetings as an observer.
- The first advisory committee meeting shall be held within the three months of the date of the Minister's decision. Draft terms of reference for the advisory committee shall be circulated to the advisory committee for their input at this meeting.
- A notice of the advisory committee meetings shall be posted on the project website two weeks prior to a meeting and sent directly to all advisory committee members.
- The proponents shall produce minutes for each of the advisory committee meetings within two weeks of each advisory committee meeting. The advisory committee minutes shall include at a minimum:
 - i) A summary of information provided by the proponents at the meeting;
 - ii) All concerns raised or comments made by the members of the advisory committee;
 - iii) The proponents' response at the meeting to the concerns raised or comments made, if any; and

- iv) Any follow-up or steps to be taken by the proponents or advisory committee members as a result of the meeting.
- Within six months of the date of the Minister's decision, the proponents shall submit to the Director of the Ministry's Environmental Assessment and Permissions Branch a final terms of reference for the advisory committee. The final terms of reference shall include:
 - i) A description of the membership and structure of the advisory committee, including a list of all members;
 - ii) A description of the advisory committee's mandate; and
 - iii) The frequency of advisory committee meetings.
- The proponents shall provide the following information to the advisory committee:
 - i) The monthly average total phosphorus and monthly average soluble reactive phosphorus effluent concentrations for the Duffin Creek Water Pollution Control Plant;
 - ii) An explanation for any exceedances of the monthly total phosphorus objective in the environmental compliance approval;
 - iii) A verbal or written report on any research undertaken and results with respect to water quality and Cladophora algae in the nearshore of Lake Ontario at the Ajax-Pickering waterfront; and
 - iv) Updates on the implementation of the Phosphorus Reduction Action Plan Study.
- The proponents shall publish the minutes from the advisory committee meetings required by Condition 3.7 on the project website.
- The proponents shall continue the advisory committee until the project has been in operation for three years or the parties invited pursuant to condition 3.2 to participate on the advisory committee no longer wish to participate on the advisory committee.

4) Conditions Reporting

- The proponents will submit a written report to the Director, Environmental Assessment and Permissions Branch, on how it has fulfilled conditions 1 to 3.

4. Implementation Plan

- 4.1 The recommendations included in the project ESR and PRAP Study will require the implementation of capital plant upgrades, operational process improvements, water quality monitoring, participation in research and hosting an advisory committee for stakeholders.

5. Conclusion

- 5.1 The decision on the Duffin Creek WPCP Outfall EA requires capital, operational and administrative resources to ensure the implementation of the Minister of MECP's conditions related to the Part II Order requests. Regional staff in collaboration with the Region of York, Town of Ajax and City of Pickering will plan the implementation of the required commitments within the ESR, PRAP Study and conditions imposed by the Minister of MECP.
- 5.2 For additional information, please contact John Presta, Director, Environmental Services Branch at (905) 668-7711 ext. 3520.

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine 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-97](#)
Date: December 4, 2019

Subject:

Lead Water Service Replacement and Lead Monitoring Programs – The Regional Municipality of Durham

Recommendation:

That 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 inform Works Committee on the Regional Municipality of Durham's (Region) Lead Water Service Replacement and Lead Monitoring Programs. Recent media reports and attention on lead water services has resulted in information requests related to the Region's water supply system.

2. Overview

2.1 The Region, through the Works Department's Environmental Services Branch, offers two programs: the Lead Water Service Replacement Program and the Lead Monitoring Program.

3. Background

- 3.1 The drinking water limit for lead in Ontario is 0.010 milligrams per litre (parts per million) or 10 micrograms per litre (parts per billion) under Ontario Regulation (O.Reg.) 169/03 of the Ontario Drinking Water Quality Standards (ODWQS). This is the existing regulatory limit in Ontario for water distribution systems.
- 3.2 The Health Canada guideline for lead in drinking water is 0.005 milligrams per litre or 5 micrograms per litre. This guideline was established in March 2019.
- 3.3 The number of lead service connections in Durham is currently estimated to be approximately 2,500 with the majority concentrated in older areas.

4. Lead Sampling Procedure

- 4.1 Both the Lead Monitoring Program and the Lead Water Service Replacement Program follow the sampling protocol described in Schedule 15.1, O.Reg. 170/03 of the Safe Drinking Water Act (SDWA).

5. Lead Water Service Replacement Program (LWSRP)

- 5.1 This program was established and designed in 2016 to identify, manage and reduce lead service connections in the water distribution system. Lead water services can be identified by the following methods:
 - a) During maintenance activities, such as curb stop repairs or water service leaks: The property owner is immediately notified verbally and in writing (letter), offered a free water sample for lead analysis and provided with a free NSF-53 point of use filter and replacement cartridges that are certified for lead removal.
 - b) During watermain replacement: If a lead water service is discovered during the watermain replacement, the Region will replace the Region-owned portion of the service connection. The property owner is immediately notified verbally and in writing (letter), offered a free water sample for lead analysis and provided with a free NSF-53 point of use filter and replacement cartridges that are certified for lead removal. The Works Department's Asset Management Program prioritizes watermain replacements in the Region to target areas that have potential lead service connections.

- c) Homeowner initiated replacement: If a homeowner approaches the Region with a known lead service and they are replacing the private portion of the water service, they are eligible to participate in the LWSRP. Upon fully completing and submitting the LWSRP agreement form, the Region will arrange to replace the lead service connection on public property to ensure a full water service replacement.
- d) Response to lead water service replacement: If a property completes a partial or full lead water service replacement the property owner or contact will receive the following:
- An initial phone call to discuss details of the replacement and opportunity to ask/answer any questions.
 - An information package containing a notification letter, the Health Department's Lead in Drinking Water fact sheet and internal plumbing flushing instructions to follow post-replacement.
 - Free supply of NSF-53 approved water pitcher and filters for lead removal.
 - Free water sampling for lead analysis.

6. Activity Results of LWSRP from 2016 - present:

- 6.1 There have been thirty-eight lead (38) service replacements completed since 2016.
- 6.2 One thousand, three hundred (1,300) letters have been sent to homeowners who may potentially have a lead water service with an offer for free lead analysis. Letters were sent out based on Works Department records from water meter replacements, service repairs and historical information.
- 6.3 Approximately one hundred and fifty (150) inquiries from property owners have been recorded.
- 6.4 Approximately one hundred (100) locations have accepted the offer to have water tested for lead.
- 6.5 Approximately ninety-seven (97) percent of all locations sampled and tested for lead analysis are below the ODWQS of ten micrograms per litre.
- 6.6 Approximately ninety-five (95) percent of all locations sampled and tested for lead analysis are below the Health Canada guideline of five micrograms per litre.

7. Lead Monitoring Program (LMP)

- 7.1 To meet the regulatory compliance program under the SDWA, the Region is required to sample the water distribution systems.
- 7.2 The sampling and testing protocols were established by O.Reg. 170/03 in 2007. Sampling periods run annually from December 15 to April 15 and from June 15 to October 15. This monitoring program requires the collection of a specified number of samples from; residential, non-residential and distribution locations.
- 7.3 To date, there have been approximately 2,770 residential samples collected, and 99.68 per cent are below, while 0.32 per cent have exceeded the ODWQS standard of ten micrograms per litre.
- 7.4 The Oshawa, Whitby and Ajax drinking water systems qualify for the reduced sampling schedule because four or more proceeding and consecutive sampling periods have had less than ten percent of all plumbing samples exceed the standard prescribed for lead under the ODWQS. All other large municipal drinking water systems are exempt from testing plumbing samples and have reduced sampling frequency for distribution samples since the systems service a population of less than 50,000 and have had less than ten percent of all samples collected in the preceding two consecutive periods exceeding the standard.
- 7.5 Schedule 15.1 of O.Reg. 170/03 also prescribes a corrosion control program that municipalities must implement if greater than ten percent of samples collected exceed the standard of ten micrograms per litre. The Region is not required to implement a corrosion control program as the water quality monitoring does not identify the requirements to do so in any of the water supply systems.

8. Current Lead Analysis Options

- 8.1 A resident is eligible for free lead analysis through the LWSRP if a licensed plumber has confirmed a lead water service or if they have received a letter with an offer for free lead analysis from the Region.
- 8.2 A resident may be eligible for free lead analysis through the regulated lead monitoring program if the home was built prior to 1990, and is in the Ajax, Whitby or Oshawa drinking water systems (Pickering, Ajax, Whitby, Brooklin, Oshawa, Courtice). This is subject to availability and only occurs during the prescribed sampling periods.

8.3 If a resident does not meet either of the above circumstances, they may collect their own water sample to be tested for lead analysis at their own expense.

9. Proposed Modification to Lead Water Service Water Quality Sampling

9.1 Based on the heightened awareness of lead water services and to encourage more water quality monitoring, Regional staff are recommending that a modification be made in the sampling protocol procedure for the LWSRP. This modification includes free water quality sampling and testing for property owners who live in a home built prior to 1990 to help identify lead water service connections on private and public property.

9.2 In addition, Regional Works and Health Department staff are reviewing and updating all communication material on the Region's website.

10. Conclusion

10.1 The Regional Municipality of Durham owns and operates 14 water supply systems. Annual Drinking Water Quality Reports are submitted to satisfy the requirement of Section 11 of O. Reg. 170/03 under the Safe Drinking Water Act. It is important to note that the water supplied by the systems is safe to drink in accordance with the Ontario regulatory requirements. There is no evidence that there is an exceedance of lead in water supplied from the water supply plants or municipal wells.

10.2 The extent of exposure to lead in drinking water from older water service connections in the public right of ways and service pipes on private property is subject to site specific conditions, with private plumbing and fixtures. The best course of action is for property owners to call a plumber to confirm plumbing material and replace any lead pipe material in addition to older water fixtures.

10.3 Based on the Regional Municipality of Durham's lead monitoring and lead water services programs, property owners have an opportunity to help identify their site-specific conditions.

10.4 This report was reviewed in consultation with the Region's Health Department and the Commissioner of Health concurs with the content of the report.

10.5 For additional information, please contact Greg Lymer, Manager, Technical Support Division, at (905) 668-7711, extension 3500.

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine Baxter-Trahair
Chief Administrative Officer



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: [#2019-W-98](#)
Date: December 4, 2019

Subject:

Works Department – 2020 Water Supply and Sanitary Sewerage Business Plans and Budgets

Recommendation:

That the Works Committee recommends to the Finance and Administration Committee for subsequent recommendation to Regional Council that the 2020 Works Department portion of the 2020 Water Supply System Budget and the 2020 Sanitary Sewerage System Budget be approved.

Report:

1. Purpose

1.1 The purpose of this report is to obtain Works Committee concurrence of the 2020 Business Plans and Budgets for the Works Department portion of the Water Supply System and Sanitary Sewerage System. The Works Department 2020 Business Plans and Budgets will be referred to the Finance and Administration Committee for consideration during deliberations of the 2020 Consolidated Business Plans and Budgets for the Water Supply System and the Sanitary Sewerage System.

2. Overview

2.1 The Works Department's portion of the 2020 Water Supply System and Sanitary Sewerage System Business Plans and Budget supports the following key priorities:

- a. Accommodate Ongoing Legislative and Regulatory Changes

- b. Invest in Infrastructure Renewal
 - c. Respond to Growth and Affordability Pressures and Support the Vulnerable Sector
 - d. Innovate and Modernize Operations and Administration
- 2.2 The recommended Works Department's portion of the 2020 Water Supply System and Sanitary Sewerage System Business Plans and Budget includes \$300.1 million in gross expenditures (Water Supply System \$134.8 million and Sanitary Sewerage System \$165.3 million) requiring \$177.6 million in user rate revenue (\$95.5 million Water Supply System and \$82.1 million Sanitary Sewerage System) with remaining funded by program fees, development charges, grants and reserve and reserve funds.
- 2.3 The recommended Works Department's portion of the 2020 Water Supply System and Sanitary Sewerage System Business Plans and Budget provides operating and capital funding for the following items:
- a. Water Supply:
 - Maintenance Operations
 - Watermain Cleaning and Repairs
 - Valve and Hydrant Maintenance
 - Water Connection Maintenance
 - Water Meter Repair and Testing
 - Water Supply Plant Operations:
 - Plants East
 - Plants Central
 - Plants North
 - Sunvalley Private Water System
 - SCADA Systems
 - Engineering and Staff Support
 - Engineering Planning and Studies
 - Environmental Services Design
 - Development Approvals
 - Construction Management Services
 - Water Supply Plant Administration
 - Technical Support
 - Data System Management
 - Water Efficiency
 - Source Water Protection
 - Financial Services and Corporate Real Estate
 - Corporate Services, including Health and Safety, Human Resources, Legal, Information Technology and Communications support

- Facilities Management
 - Administration
- b. Sanitary Sewerage:
- Maintenance Operations
 - Sewer Cleaning and Repairs
 - Sewer Connection Maintenance
 - Water Pollution Control Plant Operations:
 - Plants and Pumping Stations
 - Duffin Creek Water Pollution Control Plant
 - Regional Environmental Laboratory
 - Engineering and Staff Support
 - Engineering Planning and Studies
 - Environmental Services Design
 - Development Approvals
 - Construction Management Services
 - Biosolids Management
 - Water Pollution Control Plant Administration
 - Technical Support
 - Data System Management
 - Water Efficiency
 - Source Water Protection
 - Financial Services and Corporate Real Estate
 - Corporate Services, including Health and Safety, Human Resources, Legal, Information Technology and Communications support
 - Facilities Management
 - Administration

3. 2019 Accomplishments

3.1 Regional water supply and sanitary sewerage systems continue to provide safe drinking water and protect the water environment. Quality and environmental management systems support and integrate operations to meet regulatory performance requirements. The following metrics provide a demonstration of the system performance objectives in 2019:

- 0 Boil Water Advisory days
- 99.97 percent compliance of drinking water test results
- No sanitary sewage by-pass events
- 100 per cent compliance of wastewater effluent results to protect water environment.

- 3.2 The capital water supply and sanitary sewerage programs support the priorities of the Business Plans and Budget process for 2020. The following highlights the detailed design and construction of some of the major projects completed in 2019:
- Newcastle Water Supply Plant and Sanitary Sewerage Pumping Station detailed design is complete and tender ready in 2020;
 - Zone 4 (Seaton) Reservoir and Water Pumping Station detailed design is complete and tender ready in 2020;
 - Construction completed for 12 CWWF projects; and
 - Bulk Water Filling Station for Whitby/Oshawa service area has been tendered and is ready for construction.
- 3.3 During 2019, the modernization of data management continues at the Duffin Creek Water Pollution Control Plant. A similar data management modernization was initiated in the Plant Operations division for water supply and sanitary sewerage service areas.
- 3.4 Plant Operations staff were recognized for their achievements in 2019 as the Operations Challenge Team won the Water Environment Association of Ontario (WEAO) Ontario Championship. In addition, a Regional plant operation staff member received the 2019 Water Environment Federation (WEF) Operator Ingenuity Award.

4. 2020 Priorities and Highlights

- 4.1 In order to maintain a sustainable and compliant water supply and sanitary sewerage system, the 2020 capital program includes items such as:
- The planning, design and construction of infrastructure replacement for 20 km of linear pipe and 2 vertical facilities as identified through the asset management plan;
 - The initiation of planning for Environmental Assessment (EA) for Ajax Water Supply Plant (WSP), Bowmanville WSP and the Corbett Creek Water Pollution Control Plant (WPCP); and
 - The construction of Phase 3 of the Courtice Trunk Sanitary Sewer.
- 4.2 A total of 4.61 new full-time equivalent employees (FTEs) are proposed in 2020. These positions represent new permanent resources to support the delivery of capital projects and operating activities. The cost of these positions is allocated at varying levels to capital projects or maintenance activities:
- Vehicle and Equipment Trainer in Depot Operations 0.660 FTE
(costs are shared with Water Supply, Sanitary Sewerage)

- and Works General Tax)
- Two (2) SWAT Labourers in Construction Management Services (costs are shared with Water Supply, Sanitary Sewerage and Works General Tax) 1.284 FTE
 - Senior Project Coordinator in Facilities Design, Construction and Asset Management (costs are shared with Water Supply, Sanitary Sewerage and Works General Tax) 0.657 FTE
 - One Works Technician 3 in Plants Central (cost funded from Water Supply) 1.000 FTE
 - One Maintenance Operator in Plants Central (cost funded From Water Supply) 1.000 FTE

5. 2020 Risks and Uncertainties

5.1 Areas of potential risks that could impact the operating and capital budgets of the Works Department include:

- a. Changes related to legislative changes, regulations, from provincial and federal approval agencies
- b. Revenue/Funding pressures (e.g. provincial/federal infrastructure programs which require matching Regional investment)
- c. Operating Pressures, such as:
 - Growth across the Region which includes development of several new communities in Seaton, West Whitby, North Oshawa, Bowmanville and Newcastle Village will increase the demand for services to support residents and businesses as well as the operational and maintenance requirements for Regional infrastructure;
 - Ensuring sufficient staff resources to deliver a growing capital program is necessary to avoid impacts to the delivery schedules of projects or delays in response times for reactive maintenance activities;
 - Changing and unpredictable weather patterns impact treatment operations as well as preventative and reactive maintenance activities for the Regional Water Supply and Sanitary Sewerage linear infrastructure network;
 - Inflation and commodity price fluctuations may place increased pressure on operating programs, particularly those delivered with contracted services; and
 - Changes in local market demands for engineering and construction services can impact industry capacity for infrastructure projects.

6. Future Budget Pressures

6.1 Items proposed in the 2020 Works Department Water Supply and Sanitary Sewerage Budgets will result in impacts to the 2021 budget, including:

a. Annualization of new positions proposed in 2020

- | | |
|---------------------|-----------|
| • Water Supply | \$187,700 |
| • Sanitary Sewerage | \$ 67,500 |

6.2 Looking forward over the next four years, the following significant budget pressures include:

a. Growth Requirements:

- Increased demands for infrastructure maintenance;
- Operating costs related to major facility expansions including:
 - the Newcastle Water Pollution Control Plant and Sanitary Sewage Pumping Station
 - the Newcastle Water Supply Plant
 - Zone 4 (Seaton) Reservoir and Water Pumping
 - Zone 1 (Bowmanville) Reservoir and Water Pumping Station
 - New Well and Treatment in Port Perry
 - Whitby Water Supply Plant
 - Zone 4 (Whitby) Reservoir and Water Pumping Station
 - New water pollution control plants in Sunderland and Cannington
 - Zone 4 (Oshawa) Reservoir and Water Pumping Station
- Increased equipment requirements to service and maintain growing infrastructure; and,
- Increased capital infrastructure including new and expanded facilities to accommodate and service growth and development.

b. Asset Management and Infrastructure Requirements:

- Refurbishment of existing Water Supply and Water Pollution Control Plants and Maintenance Operations Depots;
- Replacement of fuel dispensing and tank monitoring systems; and
- Rehabilitation and replacement of linear water and sanitary sewerage infrastructure.

c. Legislative and Regulatory Requirements:

- Recent media attention and reports on lead water services has heightened the awareness of water quality. Please refer to Report #2019-W-97 “Lead Water Service Replacement and Lead Monitoring Programs – The Regional Municipality of Durham” on this agenda;
- The MECP is planning to initiate a review of the Lake Simcoe Protection Plan in 2020 which may require future capital or operational changes to water pollution control plants in the Lake Simcoe watershed;
- The MECP has undertaken a modernization of the Environmental Compliance Approval process which may impact capital and operating costs for Regional facilities; and
- Perfluoroalkyl (PFAS) substances are an emerging regulatory issue in Canada and the United States of America. The sources of PFAS substances can originate from fire-fighting foams, consumer products, packaging, landfills and industrial processes. The regulatory requirements for drinking water are developing and emerging as there is limited data on the substances. There is considerable variation in the magnitude of guidelines between regulatory agencies currently.

7. Conclusion

- 7.1 The recommended Works Department’s portion of the 2020 Water Supply System and Sanitary Sewerage System Business Plans and Budget can be financed from the proposed water and sewer user rate increase of 3.2 per cent overall as detailed in Report 2020-COW-33 – Recommended 2020 Water and Sanitary Sewer User Rates.
- 7.2 It is recommended that the Works Committee approve the Works Department’s portion of the 2020 Water Supply System and Sanitary Sewerage System Business Plans and Budgets and forward this report to the Finance and Administration Committee for consideration during the budget deliberations of the 2020 Consolidated Business Plans and Budgets for the Water Supply System and the Sanitary Sewerage System.
- 7.3 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the recommendation.

8. Attachments

- 8.1 Detailed 2020 Business Plans and Budgets for the Works Water Supply and Sanitary Sewerage Systems are available on-line through the link provided on the December 4, 2020 Committee agenda or in hard copy by contacting Jenni Demanuele, at (905) 668-7711 ext. 3456.

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine 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-99](#)
Date: December 4, 2019

Subject:

Extension of the York Durham Sewage System Operating Agreement

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That the current York Durham Sewage System Operating Agreement between the Regional Municipality of Durham and the Regional Municipality of York for the operations of the York Durham Primary System components be extended for a six-month term commencing January 1, 2020 under the existing terms; and
 - B) That the Regional Chair and Clerk be authorized to execute the associated documents related to a six-month extension of the current York Durham Sewage System Operating Agreement.
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Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval for the Regional Municipality of Durham (Durham) to extend the current York Durham Sewage System (YDSS) Operating Agreement between Durham and the Regional Municipality of York (York), under the existing terms, for an additional six-month period.

2. Background

- 2.1 In 1975, the Province of Ontario (Province), Durham and York entered into an agreement for the Province to construct, finance and manage the YDSS to serve much of York's urban areas, as well as the City of Pickering (Pickering) and the Town of Ajax (Ajax) urban areas in Durham.
- 2.2 In 1997, the Province introduced legislation that directed the transfer of provincially owned water supply and sanitary sewage facilities from the Ontario Clean Water Association (OCWA) to the municipalities currently serviced by the facilities.
- 2.3 In November 1997, Durham and York entered into an Operating Agreement, whereby the YDSS Primary System components are operated by Durham. The Primary System components are those parts of the system that manage flows from both Regions. The allocation of operating costs is based upon the relative usage by each Region of the Primary System components.
- 2.4 The CAO from each Region signed a Memorandum of Understanding (MOU) in November 2015, which included a commitment to review and update the YDSS Operating Agreement as required to enhance information reporting on YDSS operations, and to reflect changes within the industry practice and regulatory environment.
- 2.5 In June 2017, each Region's Council approved execution of the terms of the MOU, contingent upon final approval of the Class Environmental Assessment (EA) to Assess Outfall Capacity Limitations at the Duffin Creek Water Pollution Control Plant (WPCP) on terms consistent with the associated Environmental Study Report (ESR).
- 2.6 The original term of the Operating Agreement was a twenty-year period that expired on December 31, 2017. In June 2017, each Region's Council approved an extension of the Operating Agreement for a two-year period, from January 1, 2018 to December 31, 2019 while awaiting the outcome of the Outfall EA.

3. Renewal of the YDSS Operating Agreement

- 3.1 On November 7, 2019 the Regions received a decision on the Outfall EA from the Minister of the Environment Conservation and Parks (MECP) that is consistent with the recommendations in the associated ESR. Consistent with the terms of the MOU, staff from both Regions intend to execute an updated YDSS Operating Agreement.
- 3.2 Staff from both Regions have met a number of times since June 2017 to reach an agreed upon foundation for the renewal of the YDSS Operating Agreement. In light of the recent decision on the Outfall EA by the Minister of the MECP, it is anticipated that a final review and update of the Operating Agreement, and subsequent execution of the document, will be completed by the end of 2020. In order to facilitate these actions, the current YDSS Operating Agreement must be extended for a six-month term commencing January 1, 2020 under the existing terms.

4. Conclusion

- 4.1 It is recommended that the current York Durham Sewage System Operating Agreement between the Regional Municipality of Durham and the Regional Municipality of York for the operations of the York Durham Primary System components be extended for a six-month term commencing January 1, 2020 under the existing terms.
- 4.2 This report has been reviewed by Corporate Services – Legal Services and the Director of Legal Services concurs with the recommendations.

4.3 For additional information, please contact Rich Tindall, Manager, Plant Operations at 905-668-7711 ext. 3547.

Respectfully submitted,

Original signed by

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by

Elaine Baxter-Trahair
Chief Administrative Officer