



## The Regional Municipality of Durham

### Works Committee Agenda

Council Chambers  
Regional Headquarters Building  
605 Rossland Road East, Whitby

**Wednesday, July 8, 2020**

**9:30 AM**

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*Please note: In an effort to help mitigate the spread of COVID-19, and to generally comply with the directions from the Government of Ontario, it is requested in the strongest terms that Members participate in the meeting electronically. Regional Headquarters is closed to the public, all members of the public may view the Committee meeting via live streaming, instead of attending the meeting in person. If you wish to register as a delegate regarding an agenda item, you may register in advance of the meeting by noon on the day prior to the meeting by emailing [delegations@durham.ca](mailto:delegations@durham.ca) and will be provided with the details to delegate electronically.*

**1. Roll Call**

**2. Declarations of Interest**

**3. Adoption of Minutes**

A) Works Committee meeting – June 3, 2020

Pages 4 - 15

**4. Statutory Public Meetings**

There are no statutory public meetings

**5. Delegations**

There are no delegations

**6. Presentations**

6.1 Gio Anello, Director of Waste Management and Michael Cant, Vice-President, GHD Limited, re: Mixed Waste Pre-sort Technology

## 7. Waste

### 7.1 Correspondence

- A) Memorandum from Susan Siopis, Commissioner of Works, dated June 15, 2020, re: 2018 Municipal Benchmarking Data – Waste Management 16 - 17

Recommendation: Receive for Information

### 7.2 Reports

- A) Request for Approval to Enter into an Agreement with Omachron Plastics Inc. (2020-WR-3) 18 - 28
- B) Request to Extend and Amend Standing Agreement C002275 with Miller Waste Systems for the Collection of Recyclables from Multi-Dwelling Units (2020-WR-4) 29 - 31

## 8. Works

### 8.1 Correspondence

### 8.2 Reports

- A) A By-law to Authorize the Construction of a Watermain and the Imposition of Water Frontage and Connection Charges Upon the Property Owners Abutting Fielding Court, in the Town of Ajax (2020-W-37) 32 - 38
- B) A By-law to Authorize the Construction of a Watermain and the Imposition of Water Frontage and Connection Charges Upon the Property Owners Abutting Range Road, Lake Ridge Road South and Ontoro Boulevard, in the Town of Ajax (2020-W-38) Under Separate Cover

## 9. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered

## 10. Confidential Matters

- A) Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes as it Relates to the Disposition of Lands Located in Sunderland, Township of Brock (2020-W-39) Under Separate Cover

**11. Other Business**

**12. Date of Next Meeting**

Wednesday, September 9, 2020 at 9:30 AM

**13. 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.

## The Regional Municipality of Durham

### MINUTES

#### WORKS COMMITTEE

Wednesday, June 3, 2020

A regular meeting of the Works Committee was held on Wednesday, June 3, 2020 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. In accordance with Provincial legislation, electronic participation was permitted for this meeting.

#### 1. Roll Call

Present: Councillor Mitchell, Chair  
Councillor Marimpietri, Vice-Chair  
Councillor Barton  
Councillor Crawford  
Councillor McLean  
Councillor John Neal  
Councillor Smith  
Regional Chair Henry  
**\* all members of Committee except Councillor Mitchell participated electronically**

Also

Present: Councillor Dies  
Councillor Joe Neal  
Councillor Roy left the meeting at 10:02 AM  
Councillor Wotten

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer  
G. Anello, Acting Director of Waste Management  
J. Demanuele, Director of Business Services  
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  
T. Lee, Executive Assistant, Office of the CAO  
J. Paquette, Manager (Works), Corporate Communications  
J. Presta, Director of Environmental Services  
S. Siopis, Commissioner of Works  
S. Penak, Committee Clerk, Corporate Services – Legislative Services  
C. Tennisco, Committee Clerk, Corporate Services – Legislative Services  
M. White, Systems Support Specialist, Corporate Services – IT

**2. Declarations of Interest**

There were no declarations of interest.

**3. Adoption of Minutes**

Moved by Councillor Barton, Seconded by Councillor Smith,  
(39) That the minutes of the regular Works Committee meeting held on  
Wednesday, March 3, 2020, be adopted.

CARRIED

Moved by Councillor Barton, Seconded by Councillor Smith,  
(40) That the minutes of the closed Works Committee meeting held on  
Wednesday, March 3, 2020, be adopted.

CARRIED

**4. Statutory Public Meetings**

There were no statutory public meetings.

**5. Delegations**

There were no delegations.

**6. Presentations**

There were no presentations.

**7. Waste**

7.1 Correspondence

There were no items of correspondence to be considered.

7.2 Reports

A) Recycling Material Markets Update and Sole Source of Glass Processing with Nexcycle Canada Limited (2020-WR-2)

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Report #2020-WR-2 from S. Siopis, Commissioner of Works, was received.

Staff responded to questions regarding how staff are currently assessing the recyclables market; what Nexcycle does with the materials; whether the use of glass in asphalt is being investigated; the current risk of not being able to have Durham's recyclables go to the market; the trend on newsprint; and whether recyclables can be taken to the Durham York Energy Centre (DYEC) for processing.

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

- A) That the markets update on the Regional Municipality of Durham's Blue Box program be received for information;
- B) That the Regional Municipality of Durham continue recycling its Blue Box mixed broken glass with Nexcycle Canada Limited, on a single source, month-to-month basis, until a longer term contract can be secured with Nexcycle Canada Limited or an alternate glass recycling market, with funding provided from the approved 2020 and future Solid Waste Management Business Plans and Budget; and
- C) That the Commissioner of Finance be authorized to execute any agreements necessary for the recycling of mixed broken glass with Nexcycle Canada Limited.

CARRIED

## 8. Works

### 8.1 Correspondence

There were no items of communications to be heard.

### 8.2 Reports

- A) Subdivision Agreement with Smooth Run Developments Inc. or Brookfield Residential (Ontario) Limited to allow the Construction of a Temporary Water Booster Pumping Station in Newcastle, in the Municipality of Clarington  
(2020-W-27)
- 

Report #2020-W-27 from S. Siopis, Commissioner of Works, was received.

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

- A) That the Regional Municipality of Durham be authorized to enter into a Subdivision Agreement with Smooth Run Developments Inc. or Brookfield Residential (Ontario) Limited to construct a temporary water booster pumping station in Newcastle, in the Municipality of Clarington at the sole cost and expense of Smooth Run and Brookfield for the installation and removal of the temporary water booster pumping station required to service lands to advance the initial phases of the North Village plans of subdivision; and
- B) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.

CARRIED

- B) Preliminary and Detailed Design and Construction Administration for the Phosphorous Reduction Action Plan (PRAP) and Outfall Diffuser Improvements at the Duffin Creek Water Pollution Control Plant, in the City of Pickering (2020-W-28)

Report #2020-W-28 from S. Siopis, Commissioner of Works, was received.

Discussion ensued regarding the standard engineering agreement between Jacobs Canada Incorporated and the Regional Municipality of York, with the Region of Durham sharing in the costs. Further discussion ensued regarding how this project would help mitigate the problems at the Town of Ajax waterfront.

J. Presta advised that he would follow-up with staff from the Region of York to request a copy of the agreement, as they are the lead municipality and would be signing the agreement with the service provider (Jacobs Canada Incorporated).

Councillor Crawford asked to be provided with details regarding what is going to be done as part of the Phosphorous Reduction Action Plan in advance of the June 24 Regional Council meeting. S. Siopis explained that the design work will take months and instead suggested a summary report be brought to the Works Committee at the appropriate time regarding the elements of the design and upcoming construction. In response to a request from Chair Mitchell, S. Siopis added that staff could provide a presentation to Council on the project at that time.

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

That the selection of Jacobs Canada Incorporated be confirmed to carry out the preliminary and detailed design and construction administration services for the Phosphorous Reduction Action Plan (PRAP) and Outfall Diffuser Improvements project at the Duffin Creek Water Pollution Control Plant at an upset limit of \$1,606,296\* with the Regional Municipality of Durham's share of the cost identified as \$321,259.20 which is to be funded from the approved project budget. (\*) before applicable taxes

CARRIED

- C) Grade Separation Rehabilitation Agreement with the Canadian Pacific Railway for the Rehabilitation of the Simcoe Street (Regional Road 2) Canadian Pacific Railway Underpass, in the City of Oshawa (2020-W-30)

Report #2020-W-30 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Marimpietri, Seconded by Councillor McLean,

(44) That we recommend to Council:

- A) That the Regional Municipality of Durham be authorized to enter into a Grade Separation Rehabilitation Agreement with the Canadian Pacific Railway for the rehabilitation of the Simcoe Street (Regional Road 2) Canadian Pacific Railway Underpass at Mileage 154.72 Havelock Subdivision, in the City of Oshawa; and
- B) That the Regional Chair and Clerk be authorized to execute the agreement.  
CARRIED

D) Acquisition of Easement, License Agreement and Construction Agreement for the Liverpool Forcemain Project, in the City of Pickering (2020-W-31)

Report #2020-W-31 from S. Siopis, Commissioner of Works, was received.

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

- A) That the following easement purchase agreement be approved:

Hydro One Networks Inc.	800 Brock Road	\$96,500
	Part of Lot 19, Range 3	
	Broken Front Concession	
	being part of PIN 26327-0123	
	shown as Parts 1, 2, 3, 4, 5 & 6	
	on 40R-30766	
	City of Pickering	

- B) That the following three-year license agreement be approved:

Hydro One Networks Inc.	800 Brock Road	\$35,100
	Part of Lot 19, Range 3	
	Broken Front Concession	
	being part of PIN 26327-0123	
	City of Pickering	

- C) That a construction agreement for a nominal sum be approved;
- D) That financing for the acquisition of easement and license be provided from the funds allocated in the approved project budget; and
- E) That the Regional Chair and Clerk be authorized to execute all documents associated with the agreements.  
CARRIED

E) Approval to Award the Sole Source Supply of a Liquid Chromatograph with Hybrid Triple Quadrupole/Linear Ion Trap Mass Spectrometer by AB SCIEX



LP, for use by the York-Durham Regional Environmental Laboratory, located in the City of Pickering (2020-W-32)

Report #2020-W-32 from S. Siopis, Commissioner of Works, was received.

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

- A) That the Regional Municipality of Durham enter into a sole source agreement with AB SCIEX LP for the supply and annual servicing of a Liquid Chromatograph with Hybrid Triple Quadrupole/Linear Ion Trap Mass Spectrometer (LC-MS/MS) for the analysis of contaminants in drinking water at the York-Durham Regional Environmental Laboratory with an estimated total cost of acquisition of \$450,000\* and annual servicing costs not to exceed \$43,000\* annually for the three year term beginning June 2021 and ending May 2024;
- B) That the cost for the sole source purchase and servicing be shared 50/50 with the Regional Municipality of York, with the Regional Municipality of Durham's share to be funded from the approved York-Durham Regional Environmental Laboratory Business Plans and Budget; and
- C) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.  
(\* before applicable taxes

CARRIED

- F) Approval of Unbudgeted Capital Works to be Incorporated into a Servicing Agreement with the Kedron East Landowners Group Inc. (Kedron East), Including Cost Sharing in Accordance with the Region Share Policy, for the Extension and Oversizing of a Trunk Sanitary Sewer and Watermains on Harmony Road (Regional Road 33), in the City of Oshawa (2020-W-33)

Report #2020-W-33 from S. Siopis, Commissioner of Works, was received.

In response to a question, clarification was made regarding the unbudgeted capital works project estimated at \$10.2 million for the Regional share of a trunk sanitary sewer and watermains in the Kedron Secondary Plan, in the City of Oshawa, and if the costs will be recaptured.

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

- A) That unbudgeted capital works estimated at \$10.2 million for the Regional share of a trunk sanitary sewer and watermains in the Kedron Secondary Plan, in the City of Oshawa, be approved;

- B) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement to authorize payment to the Kedron East Landowners Group Inc.(Kedron East) estimated at \$10.2 million as noted in Recommendation A for the extension and oversizing of a trunk sanitary sewer and for watermains on Harmony Road (Regional Road 33), in the City of Oshawa, at an estimated total project cost of \$13.7 million;
- C) That financing for the total unbudgeted capital works, estimated at \$13.7 million, be provided from the following sources:

**Developer’s Share – Sanitary Sewer**

Kedron East Landowners Group Inc. (Kedron East)	<u>\$3,367,900</u>
<b>Total Developer’s Share:</b>	<u>\$3,367,900</u>

**Regional Costs – Sanitary Sewer**

Reallocation of 2020 Sanitary Sewerage System Capital Budget Item 34, Project D2002, West Brooklin Trunk Sanitary Sewer from west of Cochrane St. to east of Highway # 12, Whitby

Residential Development Charge Reserve Fund	\$4,975,965
Commercial Development Charge Reserve Fund	\$310,155
User Rate	<u>\$1,456,380</u>

**Total Regional Share – Sanitary Sewer \$6,742,500**

**Developer’s Share - Watermains**

Kedron East Landowners Group Inc. (Kedron East)	<u>\$97,500</u>
<b>Total Developer’s Share:</b>	<u>\$97,500</u>

**Regional Costs – Watermains**

Reallocation of 2020 Water Supply System Capital Budget Item 123, Project D1908, Zone 4 feedermain from proposed Zone 4 water pumping station at Harmony Reservoir to proposed Oshawa Zone 4 Reservoir, Oshawa

Residential Development Charge Reserve Fund	\$1,051,200
Commercial Development Charge Reserve Fund	\$26,400
User Rate	<u>\$122,400</u>
	<u>\$1,200,000</u>

Reallocation of 2020 Water Supply System Capital Budget Item 163, Project D1609, Proposed Oshawa Zone 4 Storage Facility – 16 ML, Oshawa

Residential Development Charge Reserve Fund	\$1,986,768
Commercial Development Charge Reserve Fund	\$49,896
User Rate	\$231,336
	<u>\$2,268,000</u>

**Total Regional Share – Watermains** **\$3,468,000**

**Total Regional Share** **\$10,210,500**

**Total Developer’s Share** **\$3,465,400**

**Total Project Financing** **\$13,675,900**

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

CARRIED

- G) Approval of the New York-Durham Sewage System Operating Agreement (2020-W-34)

Report #2020-W-34 from S. Siopis, Commissioner of Works, was received.

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

- A) That the new 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 adopted for a 20-year term commencing on July 1, 2020; and

- B) That the Regional Chair and Clerk be authorized to execute the new York-Durham Sewage System Operating Agreement.

CARRIED

- H) Servicing Agreement with North Village Landowners Group Inc. (North Village), Including Cost Sharing in Accordance with the Region’s Share Policy, for the Extension and Oversizing of a Trunk Sanitary Sewer and Watermain on North Street (Regional Road 17), in the Municipality of Clarington (2020-W-35)

Report #2020-W-35 from S. Siopis, Commissioner of Works, was received.

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

- A) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement with North Village Landowners Group Inc. (North Village) including cost sharing in accordance with the Region’s Share Policy, for the extension and oversizing of a trunk sanitary sewer and watermain on

North Street (Regional Road 17), in the Municipality of Clarington, at an estimated cost of \$4.3 million;

- B) That financing for the Regional Municipality of Durham's Share for the Sanitary Sewer component of the Servicing Agreement be provided from the following Regional sources:

**Developer's Share – Sanitary Sewer**

North Village Landowners Group Inc. (North Village)	\$1,896,200
<u>Total Developer's Share:</u>	<u>\$1,896,200</u>

**Regional Costs – Sanitary Sewer**

Sanitary Sewerage System Capital Budget

Foster Creek Trunk Sanitary Sewer on North Street from Wilmot Street to North of CPR (D1616)

Residential Development Charge Reserve Fund	\$327,737
Commercial Development Charge Reserve Fund	\$9,014
User Rate	<u>\$104,349</u>
Subtotal	<u>\$441,100</u>
Sanitary Sewer Connections – Current Operations	<u>\$69,400</u>
<b>Total Regional Share – Sanitary Sewer</b>	<b><u>\$510,500</u></b>

**Developer's Share – Regional Roads and Storm Sewers**

North Village Landowners Group Inc. (North Village)	<u>\$387,000</u>
<u>Total Developer's Share:</u>	<u>\$387,000</u>

- C) That financing for the Regional Municipality of Durham's Share for the Watermain component of the Servicing Agreement be provided from the following Regional sources:

**Developer's Share - Watermain**

North Village Landowners Group Inc. (North Village)	<u>\$1,019,100</u>
Total Developer's Share:	<u>\$1,019,100</u>

**Regional Costs – Watermain**

Water Supply System Capital Budget

Watermain replacement on North Street from Wilmot Street to North of CPR(C1601)

Residential Development Charge Reserve Fund	\$262,800
Commercial Development Charge Reserve Fund	\$6,600
User Rate	<u>\$30,600</u>

Allowance for Regional share for works in conjunction with residential subdivision development (M2010)

Residential Development Charge Reserve Fund	\$43,186
Commercial Development Charge Reserve Fund	\$1,085
User Rate	<u>\$5,029</u>

Subtotal \$349,300

Watermain Connections – Current Operations \$98,900

**Total Regional Share – Watermain \$448,200**

**Total Regional Project Financing \$958,700**

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

CARRIED

**9. Advisory Committee Resolutions**

There were no advisory committee resolutions to be considered.

**10. Confidential Matters**

10.1 Reports

- A) Confidential Report of the Commissioner of Works – Proposed or Pending Acquisition or Disposition of Land for Regional Corporation Purposes and Litigation/Potential Litigation Matters, as it Relates to the Purchase of Lands Required for the Bus Rapid Transit Project, in the City of Pickering (2020-W-29)

Confidential Report #2020-W-29 from S. Siopis, Commissioner of Works, was received.

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

That the recommendations contained in Confidential Report #2020-W-29 of the Commissioner of Works be adopted.

CARRIED

**11. Other Business**

**11.1 Traffic at the Oshawa Waste Management Facility**

Councillor John Neal raised a concern regarding the increased number of cars lined up at the Oshawa Waste Management Facility causing a safety concern. He highlighted a video that was taken by a resident showing the line up of cars at the facility that was sent to S. Siopis. He questioned whether there was another day that the transfer station could be opened to alleviate the vehicle traffic.

S. Siopis advised that staff are investigating the opportunity for more vehicles to be allowed on site as opposed to lined up on the roadway.

**11.2 Brock West Landfill, in the City of Pickering**

In response to a question, S. Siopis advised that there was an informal conversation with the City of Toronto staff regarding any plans they had for the Brock West Landfill and advised that in terms of action, there is nothing currently planned. S. Siopis advised that she will compose a letter to be sent to the City of Toronto asking for an update on their remediation plans for the Brock West Landfill.

**12. Date of Next Meeting**

The next regularly scheduled Works Committee meeting will be held on Wednesday, July 8, 2020 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

**13. Adjournment**

Moved by Councillor McLean, Seconded by Councillor John Neal,  
(51) That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:17 AM

Respectfully submitted,

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D. Mitchell, Chair

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S. Penak, Committee Clerk



# Interoffice Memorandum

**Date:** June 15, 2020

**To:** Regional Chair Henry and Members of Works Committee

**From:** Susan Siopis, P.Eng., Commissioner, Works

**Copy:** Elaine Baxter-Trahair, Chief Administrative Officer  
Giuseppe Anello, Acting Director, Waste Management Services

**Subject:** 2018 Municipal Benchmarking Data – Waste Management

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The Regional  
Municipality of  
Durham

Works Department

This memo has been prepared in response to a question raised at Works Committee regarding the 2018 municipal benchmarking data (MBD). Committee requested that staff analyze the 2018 data and provide comments.

The MBD is compiled from information provided by participating municipalities that collect data related to standard service areas. The data can be used to assess trends and is most valuable when used by an individual municipality to compare year-over-year performance. The [MBD for 2018](#) was posted and the full report is available at the following website:

[http://mbncanada.ca/app/uploads/2019/11/2018\\_FINAL\\_Performance\\_Report\\_OCT-30-2019.pdf](http://mbncanada.ca/app/uploads/2019/11/2018_FINAL_Performance_Report_OCT-30-2019.pdf)

As directed, staff reviewed the data and provide the following observations:

With the exception of Regina, all the municipalities are fairly close in tonnes collected per household (Figures 34.1 and 34.2 in the MBD). Regina does not have an organics program; Halifax and Sudbury are significantly lower but there isn't enough information available to determine if they reported the same categories of waste as the other municipalities.



Tonnes of residential solid waste disposed for most municipalities has been consistent over the last three years. There was no significant tonnage increase or decrease.

The data on the costs per tonne for disposal, collection and diversion does not give a consistent comparison as each municipalities' calculation may include different metrics for measurement (Figures 34.6 and 34.7). The Durham cost per tonne for disposal includes the DYEC capital and operating, bypass waste, the landfill perpetual care and the associated support programs.

The diversion rates are based on data which reflect the municipalities programs (Figures 34.4 and 34.5). There is some variation in what measurement each municipality includes in their calculations. The comparison of diversion rates indicate that they remain steady over the years listed in the report.

The municipalities with larger changes in their measurements have either introduced changes to existing programs, introduced new programs or had to deal with external events as listed below:

- Calgary – introduced a curbside green bin in 2017 and saw diversion rate increase from 36% (2017) to 52% (2018)
- Hamilton – compost facility was shut down temporarily in 2018; diversion rate dropped from 44% (2017) to 36% (2018)
- Regina – introduced bi-weekly garbage collection during winter Nov – May; tonne per household dropped from 0.92 (2016) to 0.81 (2018)
- Waterloo – introduced garbage bag limits and every other week garbage collection in 2017; diversion increased from 60% (2017) to 65% (2018)

The information in the [Municipal Benchmarking Data](http://mbncanada.ca/app/uploads) is available to the public on the internet at <http://mbncanada.ca/app/uploads>.

Staff will review the data each year and report if trends are observed that may be of strategic importance or could be useful in the management of our integrated waste management system.

**End of Memo**

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



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: #2020-WR-3  
Date: July 8, 2020

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**Subject:**

Request for Approval to Enter into an Agreement with Omachron Plastics Inc.

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**Recommendation:**

That the Works Committee recommends to Regional Council:

- A) That Regional Municipality of Durham staff be authorized to enter into an Agreement to support a pilot project with Omachron Plastics Inc., which provides for Omachron's purchasing of plastics at a fair market price and the Regional Municipality of Durham continue working with Omachron Plastics Inc. to develop other opportunities for the use of the Regional Municipality of Durham's recyclable materials, in a form satisfactory to the Director of Legal Services; and
  - B) That the Commissioner of Finance be authorized to execute the Agreement, and any ancillary documents necessary.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to seek Regional Council approval for staff to enter into an Agreement to support a pilot project with Omachron Plastics Inc. ("Omachron"). Staff from Works, Finance and Legal Departments will work with Omachron to negotiate an agreement to support a pilot project with an appropriate term and limits. The objective of the pilot project is to develop innovative uses for blue box plastics and single use plastics by creating new products.

## **2. Background**

2.1 While plastics recovered from the blue box post-processing are typically revenue generating products for the Regional Municipality of Durham (Region), the market for many of the plastics has become increasingly precarious. Weak end markets for post-processing recyclable materials has been an issue facing municipalities for several years.

2.2 On February 27, 2019, Works Committee considered Report #2019-WR-1, City of Vancouver Single-Use Items Reduction Strategy (Attachment #2). Regional Council subsequently passed several motions and resolutions regarding this report, including:

“That Regional Works staff, along with staff from Economic Development at both Regional and Municipal levels, investigate business opportunities, and possible savings, in helping to jump start the domestic processing of non-Blue Box plastics, and involve the plastics industry.”

2.3 Regional staff sought out domestic companies who could make use of non-blue box materials. During that process, Regional staff connected with a local company, Omachron Plastics Inc. (Omachron) of Hampton, Ontario whose research and development work is able to make use of blue-box plastics and could have potential to expand into the non-blue-box material processing.

2.4 As Regional Council is aware, the Region is set to transition to Extended Producer Responsibility (“EPR”) as early as 2023. Once EPR is fully in place, the Region will no longer have control or ownership of blue box plastics and other recyclables. Regional staff will ensure that the agreement with Omachron does not impact the Region’s ability to transition to EPR.

## **3. Discussion**

3.1 On July 12, 2019, the Region signed a Non-Disclosure Agreement with Omachron for the confidential exchange of information that may support future opportunities.

3.2 Since that time, Regional staff have been exchanging waste generation and materials specification data with Omachron, have toured their Hampton facility and met with the company’s principal regarding Omachron’s research into making products from the Region’s blue box mixed plastics.

- 3.3 The Region's blue box program currently generates approximately 1,500 metric tonnes of this material annually, about one transport truck trailer load per week, which the Region markets along with its other commodities to end markets throughout North America. Markets for these materials have been shrinking, and prices declining, for several years.
- 3.4 Omachron has developed new building products with this material and has prepared a business case to produce marketable products here in the Region that can utilize mixed plastics generated in the Region. The building products are cost competitive when compared to similar products produced in China and the United States.
- 3.5 Regional staff has been working with Omachron on opportunities to use other materials generated from the Region's various waste management programs such as non-blue box plastics and glass. Part of this work includes the possibility of establishing a research and development testing facility, at no cost to the Region, for testing new products made from the Region's recyclable materials. This opportunity has the potential to develop into a further investment by Omachron that would enable this company to produce new products and provide local employment opportunities.

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

- 4.1 In accordance with Section 23 of the Region's Purchasing By-law, #16-2020, Regional staff identified the need to conduct this pilot to promote innovation. This report requests authority to enter into an agreement with Omachron for a pilot project that would see the Region sell mixed plastics to Omachron.
- 4.2 Plastics revenues received over the last 24 months ranges from a high of \$170 per tonne, to a low of \$58 per tonne, with an average of about \$98 per tonne.
- 4.3 As part of the proposed Agreement, the Region would provide Omachron with plastics at fair market value. Omachron will be responsible for transporting plastics from the Regional facility.
- 4.4 As stated above, the market for these plastics has become quite unpredictable; having a more consistent revenue source would be beneficial to the Region.
- 4.5 Subject to Regional Council approval, staff will negotiate an agreement to support the pilot project. Once work commences, more information will be provided as the project progresses.

**5. Conclusion**

- 5.1 Regional staff is seeking authority to enter into an Agreement to support a pilot project that addresses the purchase of plastics by Omachron Plastics Inc. as well as the Regional Municipality of Durham's continued assistance to develop further opportunities for use of single use plastics.
- 5.2 This report has been reviewed by the Commissioner of Finance and Legal Services – Corporate Services.
- 5.3 For additional information, please contact Gioseph Anello, Acting Director of Waste Management Services, at 905-668-7711, extension 3445.

**6. Attachments**

- Attachment #1: Confidential Disclosure Agreement with Omachron Plastics Inc. (under separate cover)
- Attachment #2: Report 2019-WR-1, City of Vancouver Single-Use Items Reduction Strategy

Respectfully submitted,

**Original signed by:**

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Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

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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

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To: Works Committee  
From: Commissioner of Works  
Report: #2019-WR-1  
Date: January 9, 2019

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**Subject:**

City of Vancouver Single-Use Items Reduction Strategy

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**Recommendations:**

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

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**Report:**

**1. Purpose**

- 1.1 On September 12, 2018, Regional Municipality of Durham (Region) Council directed staff to prepare an information report on the City of Vancouver's (Vancouver) Strategy for Single-Use Items Reduction (Strategy).
- 1.2 This report provides Regional Council with information on the Strategy that was approved by Vancouver Council on June 5, 2018 and builds on the Region's previous [Information Report #2018-INFO-127 on Single Use Plastics](#) issued August 31, 2018.
- 1.3 Vancouver is responsible for delivering collection services to residents. Industrial, commercial, and institution (ICI) waste services are provided privately. As such, the Strategy focuses primarily on influencing the ICI community with a goal of preventing single-use item waste generation, as opposed to disposal restrictions.

**2. Background**

In May 2016, Vancouver Council directed staff to develop a strategy to achieve Vancouver's long-term goal of zero waste. Zero Waste 2040 Plan (Plan) was

created in response to that direction and serves as a long-term strategic waste management plan to guide future decisions relating to waste. Zero Waste 2040 Plan (Plan) establishes a vision, strategic framework, objectives, target, and priorities for action. The development of a Strategy was recommended as a priority action within the Plan. Even though single-use items are predominately made of plastic, this Strategy targets several single-use items not made of plastic. This Strategy was adopted and approved by Vancouver Council on June 5, 2018. This report provides an outline of Vancouver's strategy to reduce single-use plastics.

### **3. Phase one – Development of Strategy (2018)**

#### Plastic and paper shopping bags

- 3.1 Vancouver will create behavioural change campaigns to promote and educate the public about shopping bag waste. The action plan focuses on the impact of shopping bag waste and is intended to apply equally to all plastic and paper shopping bags and to all businesses using bags.

#### Expanded polystyrene foam cups and take-out containers

- 3.2 The plan intends to ban the use of expanded polystyrene foam cups and take-out containers. Once details of the new by-laws have been finalized, Vancouver will work with businesses and other organizations to stop using polystyrene foam cups and containers. The campaign will:

- Develop language-appropriate educational resources about substitute materials for polystyrene cups and containers for business.
- Work with organizations, charitable organizations, and others to raise awareness of recyclable or compostable substitute materials.
- Execute a social media campaign to align with bylaw amendments to educate the public and businesses about the ban.

#### Disposable hot and cold drink cups

- 3.3 The Plan targets the impact from disposable hot and cold drink cups including polycoat paper cups (such as coffee cups) and plastic cups. The Strategy will:
- Investigate options to reduce public space collection costs and recover these costs from the businesses that generate disposable drink cup waste.
  - Promote and amplify education and behaviour change programs led by industry organizations, non-profits, and community groups.

- Investigate and report back on an increased business license fee for large businesses in which distribution of single-use items is pervasive.
- Execute a social media campaign to align with bylaw amendments to educate the public and businesses about the ban.

#### Take-out food containers

3.4 The action plan is aimed at reducing the disposal of quick-serve and take-out food containers used by restaurants. Vancouver's program will:

- Investigate opportunities to recover the costs of collecting take-out containers in public spaces from the businesses that generate this waste.
- Launch a Bring Your Own Container pilot in partnership with Vancouver Coastal Health.
- Investigate and report back on an increased business license fee for large businesses in which distribution of single-use items is pervasive.

#### **4. Phase Two - Implementation of the Strategy (2019 to 2020)**

##### Plastic and paper shopping bags

4.1 In January 2019, Vancouver plans to set annual shopping bag waste reduction targets with an accompanying reduction plan by-law. The following are planned components of the reduction strategy:

A) Businesses in the region will be given the following reduction choices:

- No plastic or paper shopping bags to be distributed.
- Plastic or paper shopping bags cannot be distributed for free.
- Other mechanisms that achieve a reduction target to be proposed and finalized through consultation.

B) Vancouver will execute a social media campaign to educate the public and businesses and develop material for businesses to help educate customers

C) The Strategy indorses the development by-law amendments in 2019 to 2020 to require compostable single-use items used in Vancouver be tested and approved by local composting facilities and paper-based shopping bags to contain a minimum 40 per cent post-consumer content.



Polystyrene foam cups and take-out containers

- 4.2 Subject to Regional Council enactment of the proposed by-law in 2019, businesses will be prohibited from serving prepared food in polystyrene foam cups and take-out containers effective June 1, 2019. The Strategy recommends the fostering of a collective purchasing program for small businesses to purchase recyclable and compostable containers at reduced costs.

Disposable hot and cold drink cups

- 4.3 Business license holders must have reduction plans for disposable cups and must report to Vancouver on the number of cups they distribute. These reduction plans must include one of the below options:

- No disposable cups to be distributed.
- Disposable cups cannot be distributed for free.
- Other mechanisms that achieve a reduction target to be proposed and finalized through consultation.

- 4.4 The Strategy endorses the development by-law amendments in 2019-2020 to require compostable single-use items used in Vancouver be tested and approved by local composting facilities and paper-based disposable cups to contain a minimum 40 per cent post-consumer content. The proposed by-law amendments would be accompanied by the following programs:

## A) Education and outreach program:

- Execute a social media campaign to educate the public and businesses.
- Develop display material for businesses to help educate customers.

## B) Infrastructure and programs:

- Explore the need and feasibility for requiring commercial dishwashers to support the use of reusable cups on site.
- Explore opportunities to support the development of sharing and exchange programs for a city-wide travel mug exchange program.

- 4.5 Vancouver will also evaluate the need for a by-law amendment to require single-use cups to be recyclable or compostable, with clear guidelines for acceptable materials in recycling and composting facilities. Finally, Vancouver will mandate in-store collection of recyclable and compostable cups.

Take-out food containers

4.6 The Strategy proposes by-law amendments requiring compostable single-use items used in Vancouver to be approved by local composting facilities and that paper-based disposable containers to contain a minimum 40 per cent post-consumer content. The Strategy for disposable containers also includes the following elements:

- Explore opportunities to develop a sharing exchange program for reusable items such as a city-wide reusable take-out container exchange program.
- Explore the need and feasibility for requiring commercial dishwashers to support the use of reusable items on-site.
- Engage food delivery and food vendors that offer delivery to identify opportunities to reduce single-use take-out containers and packaging.

Disposable straws and utensils

4.7 The Strategy aims to reduce the impact that plastic straws and utensils have on the back end of the recycling/composting recovery process.

4.8 In 2019, Vancouver will prohibit businesses from distributing single-use plastic straws (with exemptions for health care needs) effective June 1, 2019. Vancouver intends to introduce by-law amendments to prohibit business license holders from providing single-use utensils unless requested by customers and develop by-law amendments which will also require compostable utensils used in Vancouver to be approved by local composting facilities and that paper-based disposable containers to contain a minimum 40 per cent post-consumer content. This strategy will:

- Introduce a social media campaign to educate the public and businesses.
- Develop display material for businesses to help educate customers.

## **5. Phase Three - Long Term Implementation and Program Optimization Strategy (2021 to 2025)**

Plastic and paper shopping bags

5.1 Vancouver aims to accomplish the following long-term goals:

- Office buildings will be required to provide plastic bag recycling.
- Vancouver will evaluate the amount of fees that business must charge for

plastic and paper bags, or introduce a ban.

- Vancouver will implement a full distribution ban on single-use plastic bags if annual reduction targets are not consistently met by 2021.

#### Disposable hot and cold drink cups

5.2 The Strategy includes the following actions:

- Require office buildings to provide a recycling program for disposable cups.
- Evaluate the need for the City to specify the amount of fees that business must charge on disposable cups to drive further reduction.
- Implement a full distribution ban on disposable cups if annual reduction targets are not consistently met by 2021.

#### Take-out food containers

5.3 The Strategy includes the following actions:

- Evaluate the need for by-law amendments to require take-out containers to be recyclable or compostable, with clear guidelines for acceptable materials that can be processed in local recycling and composting facilities.
- Require in-store collection and recycling/composting of take-out containers.
- Require office buildings to provide recycling/compost for take-out containers.
- Evaluate the need to introduce reduction plans for take-out containers once sufficient reusable alternatives and infrastructure have been established.

#### Disposable straws and utensils

5.4 Vancouver's Strategy recommends the following actions:

- Evaluate the need for by-law amendments to require single-use straws and utensils to be recyclable or compostable, with clear guidelines for acceptable materials that can be processed in local recycling and composting facilities.
- Require in-store collection of recyclable and compostable straws and utensils where distributed.
- Evaluate the need for Vancouver to set fees to be charged on single-use straws and utensils.

**6. Conclusion**

- 6.1 In May 2016, City of Vancouver Council directed staff to develop a comprehensive single-use item strategy. This Single-Use Item Reduction Strategy outlines progressive steps aimed at helping the City of Vancouver to reach its long-term waste management plan. The common component of the strategy outlined in this report are by-law amendments and comprehensive education programs.
- 6.2 The City of Vancouver's Single-Use Item Reduction Strategy was initiated as part of a long-term waste management plan and similar strategies for the Regional Municipality of Durham would be identified as part of the Regional Municipality of Durham's long-term waste management plan.
- 6.3 If Ontario municipalities are to embark on similar waste reduction strategies, existing education programs and by-law will also need to be evaluated and enhanced.
- 6.4 For additional information, please contact Craig Bartlett, Manager, Waste Operations, at 905-666-7711, extension 3561.

Respectfully submitted,

**Original signed by:**

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Susan Siopis, P.Eng.  
Commissioner of Works

Recommended for Presentation to Committee

**Original signed by:**

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Elaine C. Baxter-Trahair  
Chief Administrative Officer



# The Regional Municipality of Durham Report

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To: Works Committee  
From: Commissioner of Works  
Report: 2020-WR-4  
Date: July 8, 2020

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**Subject:**

Request to Extend and Amend Standing Agreement C002275 with Miller Waste Systems for the Collection of Recyclables from Multi-Dwelling Units

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**Recommendations:**

That Works Committee recommends to Regional Council:

- A) That Standing Agreement C002275 with Miller Waste Systems for the collection of recyclable blue box material from multi-residential dwelling units in the Cities of Pickering and Oshawa and the Towns of Ajax and Whitby be extended for a two-year period commencing October 1, 2021, ending on September 30, 2023 at an estimated total cost of approximately \$611,200\* (\$305,600\* annually) with the option to extend up to two additional one-year periods, funded from the approved annual Solid Waste Management Operating Budgets.
  - B) That Standing Agreement C002275 be amended to include the multi-residential buildings presently serviced under Standing Agreement C003008 for the curbside collection of garbage, recycling and organics in the Municipality of Clarington and Townships of Scugog, Uxbridge and Brock to provide operational efficiencies at no net cost to the Regional Municipality of Durham; and
  - C) That the Commissioner of Finance be authorized to execute all documents related to this contract amendment.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to request an extension of Standing Agreement

C002275 and to amend it to include the multi-residential buildings presently serviced under Standing Agreement C003008. Dollar amounts followed by an asterisk (\*) exclude applicable taxes.

## **2. Background**

- 2.1 The Regional Municipality of Durham (Region) collects recyclables through Miller Waste Systems (Miller) from 402 multi-residential buildings:
  - a) 357 in the Towns of Ajax and Whitby, and the Cities of Pickering and Oshawa under Standing Agreement C002275; and
  - b) 45 in the Townships of Uxbridge, Scugog, and Brock, and the Municipality of Clarington under Standing Agreement C003008.
- 2.2 The Resource Recovery and Circular Economy Act, 2016 will transition the Blue Box recycling from municipalities to the producers under a framework of full Extended Producer Responsibility (EPR) over a three-year period starting in 2023.
- 2.3 On April 29, 2020, Regional Council approved Report #2020-COW-15 indicating that the Region is prepared to transition its Blue Box program to full EPR as early as July 1, 2023, subject to analysis of the yet to be written regulations and their impacts on the Region (Attachment #1).

## **3. Discussion**

- 3.1 The Region's recycling collection and processing contracts, except Standing Agreement C002275, are aligned to facilitate a timely transition to full EPR. Standing Agreement C002275 is the final contract requiring alignment. Extending the contract prevents the need to secure a higher cost, short-term contract to bridge the Region from September 2021 to the EPR transition.
- 3.2 Standing Agreement C003008 is a single-family curbside waste, recycling and organics collection contract which is not optimized to service multi-residential buildings. Transferring the 45 properties currently serviced under this contract to Standing Agreement C002275, which is a dedicated multi-residential collection contract, offers the Region operational efficiencies and allows the Region to better service these properties with dedicated and purpose-built equipment.

## **4. Financial Implications**

- 4.1 The total cost for the two-year extension of Standing Agreement C002275 is estimated at \$611,200\* (\$305,600\* annually) which will be funded from the current

and future Solid Waste Management Operating Budgets.

- 4.2 Standing Agreement C003008 allows for the removal of the multi-residential properties from its scope of work. However, Standing Agreement C002275 requires an amendment to add them to its scope. The transfer of work from one contract to the other is cost-neutral to the Region.

## 5. Conclusion

- 5.1 Extending the Standing Agreement C002275 prevents the need to secure a higher cost, short-term contract to bridge the Regional Municipality of Durham from September 2021 to the Extended Producer Responsibility transition.
- 5.2 Amending Standing Agreement C002275 to add the multi-residential properties currently serviced under Standing Agreement C003008 will improve operational efficiencies to the Regional Municipality of Durham without altering existing service levels or costs.
- 5.3 This report has been reviewed by the Finance Department.
- 5.4 For additional information, please contact Gioseph Anello, Acting Director, Waste Management Services, at 905-668-7711, extension 3445.

## 6. Attachments

Attachment #1: Report #[2020-COW-15](#)

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

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To: Works Committee  
From: Commissioner of Works  
Report: #2020-W-37  
Date: July 8, 2020

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**Subject:**

A By-law to Authorize the Construction of a Watermain and the Imposition of Water Frontage and Connection Charges Upon the Property Owners Abutting Fielding Court, in the Town of Ajax

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**Recommendation:**

That the Works Committee recommends to Regional Council:

- A) That a by-law to authorize construction of a watermain and the imposition of water frontage and connection charges upon the property owners of 15 properties abutting Fielding Court, in the Town of Ajax, generally in the form included in Attachment #1 to this report, be approved.
- 

**Report:**

**1. Purpose**

- 1.1 The purpose of this report is to provide a construction and imposition by-law for the construction of a watermain on Fielding Court, in the Town of Ajax (Attachment #1). The approval of this by-law is required under Section 5 of Ontario Regulation 586/06 under the Municipal Act, 2001, S.O. 2001, C. 25.

**2. Background**

- 2.1 A successful petition for a watermain in keeping with Section 5 of Ontario Regulation 586/06 under the Municipal Act, 2001, S.O. 2001, C. 25 was completed in 2019 for Fielding Court, in the Town of Ajax.
- 2.2 Owners were notified of the results of the petition in September 2019 as per Works Committee Report #2019-W-55.



### 3. Tender and Frontage and Connection Charges

- 3.1 Tenders have been received for Region of Durham Contract D2020-046 for the construction of a 200-millimetre diameter watermain required to service Fielding Court, in the Town of Ajax, with the lowest compliant bid having been submitted by Nick Carchidi Excavating Limited in the total bid amount of \$367,641.68.
- 3.2 Passing of a by-law is required prior to awarding to the lowest compliant bidder.
- 3.3 As the provided water pressure will be lower than that stated in the Region of Durham's Design and Construction Specifications for Regional Services, owners have been notified that a private pressure boosting system within their home should be considered at their own cost, and additional caution should be taken to protect their private sewage disposal system from overuse of the municipal water connection.
- 3.4 Upon completion of the watermain, each property owner will be required to make an application to the Region for permission to connect to the watermain prior to obtaining water service. A connection charge based on the tender price of \$7,533.33 per connection for residential properties must be paid prior to obtaining water service.
- 3.5 It is anticipated that construction will commence in the summer of 2020.

### 4. Financial Implications

- 4.1 The total project costs in the amount of \$486,431 includes engineering, contingencies and miscellaneous costs. The project cost includes \$373,431 for the watermain and \$113,000 for the water connections. This project will be financed from the following sources:

#### Regional Approved Financing

##### Item #102 - Watermain on Fielding Court (A1907)

	Original Approved Project Costs	Variance	Tender Costs
User Revenue/ Connections	\$188,000	(\$75,000)	\$113,000
Estimated Frontage Charges/Debentures (15 properties)	<u>\$436,000</u>	<u>(\$62,569)</u>	<u>\$373,431</u>
Total Financing	<u>\$624,000</u>	<u>(\$137,569)</u>	<u>\$486,431</u>

- 4.2 Frontage charges will be imposed on each property owner following completion of the work as shown on Schedule A (Attachment #1).
- 4.3 Connection charges will be payable to the Region upon application for permission to obtain water service.

**5. Conclusion**

- 5.1 It is recommended that the Regional Municipality of Durham approve a by-law to authorize the construction of a watermain and the imposition of frontage and connection charges upon the property owners of 15 properties abutting Fielding Court, in the Town of Ajax.
- 5.2 This report has been reviewed by the Finance Department and the Corporate Services Department – Legal and Legislative Services Divisions.
- 5.3 For additional information, please contact Mike Hubble, Development Approvals, at 905-668-7711, extension 3460.

**6. Attachments**

Attachment #1: Draft Imposition By-Law and Schedule A

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

BY-LAW NUMBER \_\_\_\_\_ 2020  
of  
THE REGIONAL MUNICIPALITY OF DURHAM

being a by-law to authorize the construction of a watermain and the imposition of a water works rate upon the owners or occupants of lands who derive a benefit from the construction of a watermain ("water works") to be constructed on Fielding Court, in the Town of Ajax, in the Regional Municipality of Durham (the Lands").

WHEREAS the Regional Municipality of Durham proposes to construct water works in the Town of Ajax, in the Regional Municipality of Durham, on Fielding Court at an estimated cost of \$373,430.62 and to impose a water works rate upon the owners or occupants of the Lands who derive or will or may derive a benefit from the water works;

AND WHEREAS Section 5 of Ontario Regulation 586/06 under the Municipal Act, 2001, S.O. 2001, C. 25 authorizes a municipality to impose a fee or a charge for capital costs related to sewage or water services or activities;

AND WHEREAS it is desirable that the water works to service the Lands be constructed as improvements to the water works system of The Regional Municipality of Durham.

AND WHEREAS the estimated cost of the water works is \$373,430.62 and it is proposed to recover the cost of the water works through frontage charges together with interest thereon at the rate to be established at the prime rate of the Region's financial institution plus 1.5 percent per annum, with the prime rate based on the date the final letter outlining fees owing is issued, through the imposition of a water rate on the owners or occupants of the Lands who derive or will or may derive a benefit from the water works.

AND WHEREAS the Regional Council did approve this project and thereby declared the construction of the water works to be desirable in the public interest, and it being necessary for such construction to finance a sum not exceeding \$373,430.62.

AND WHEREAS the estimated cost of the connections is \$113,000 and it is proposed to recover the cost of the connections together with interest at the time an application is made by each property owner for permission to connect to the watermain prior to obtaining water service.

NOW, THEREFORE, BE IT ENACTED AND IT IS HEREBY ENACTED as a By-law of the Regional Municipality of Durham by the Council thereof as follows:

1. A water works rate is hereby imposed upon the owners or occupants of the Lands and in the amounts and with the frontages as set out in Schedule "A".

2. A water works rate shall be imposed for a period of ten (10) or fifteen (15) years at the option of the property owner and shall be computed as a metre frontage rate per annum on the Lands that receive an immediate benefit from the water works.
3. The owners or occupants of the Lands may pay the total rates hereby imposed in equal annual instalments over a period of ten (10) or fifteen (15) years at the option of the property owner or may commute such water works rate for a lump sum cash payment as shown in Schedule "A".
4. The total estimated cost of the water works described in Works Committee Report #2020-W-37, dated July 8, 2020 is \$373,430.62 which will be financed from Frontage Charges.
5. Schedule "A" attached hereto forms part of this By-law.
6. The Regional Municipality of Durham ("Region") shall approve the construction of the water works to service the Lands at an estimated cost of \$373,430.62.
7. The water works shall be carried on and extended under the superintendence and according to the direction of the Commissioner of Works of the Region.
8. The total estimated cost of the water works is \$373,430.62 and it is proposed to fully recover the sum together with interest thereon at the rate to be established at the prime rate of the Region's financial institution plus 1.5 percent per annum, with the prime rate based on the date the final letter outlining fees owing is issued, through the imposition of a water rate on the owners or occupants of the Lands who derive or will or may derive a benefit from the water works.
9. The sum of \$373,430.62 will be debentured for a period not exceeding fifteen (15) years, which will be retired by the imposition of a water rate on the owners or occupants of the Lands who derive or will or may derive a benefit from the water works.
10. Pending the issue and sale of debentures in the total sum of \$373,430.62, the Region may borrow upon the credit of the Region at large by way of temporary advances, such sum or sums as may be required for that purpose but not exceeding in aggregate the sum of \$373,430.62 and the Chair and Treasurer of the Region are hereby authorized to sign and deliver to the lender such promissory note or notes as may be required from time to time for the repayment of the monies so borrowed at such rate of interest as may be agreed upon with the lender and to affix to such promissory note or notes the seal of the Region.
11. The total estimated cost of the connections is \$113,000 and it is proposed to fully recover the cost of the connections together with interest at the time an application is

made by each property owner for permission to connect to the watermain prior to obtaining water service.

12. In respect of the temporary advances authorized by this by-law, the Chair and the Treasurer of the Region are hereby authorized to hypothecate to the lender as collateral security for any sum or sums so borrowed and interest thereon, any debentures which may be issued to defray the cost of the water works undertaken under this by-law, and the proceeds of the sale of the said debentures or as much thereof as may be necessary shall be paid to the lender in satisfaction of the sum or sums so borrowed and interest thereon.

13. This by-law shall be deemed to come into force and effect on the XX day of XX, 2020.

The By-law Read and Passed on the XX day of XX, 2020.

John Henry, Regional Chair

Ralph Walton, Regional Clerk

