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## **The Regional Municipality of Durham**

### **MINUTES**

#### **WORKS COMMITTEE**

**Wednesday, November 3, 2021**

A regular meeting of the Works Committee was held on Wednesday, November 3, 2021 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. Electronic participation was offered 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

Also

Present: Councillor Pickles  
Councillor Wotten left the meeting at 11:02 AM

Absent: None

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer  
G. Anello, Director of Waste Management  
J. Demanuele, Director of Business Services, Works Department  
B. Holmes, General Manager, Durham Region Transit  
J. Hunt, Regional Solicitor/Director of Legal Services, Corporate Services –  
Legal Services  
R. Jagannathan, Director of Transportation and Field Services  
J. Paquette, Manager (Works), Corporate Communications  
J. Presta, Director of Environmental Services  
R. Inacio, Systems Support Specialist, Corporate Services – IT  
S. Siopis, Commissioner of Works  
N. Taylor, Commissioner of Finance  
N. Prasad, Assistant Secretary to Council, Corporate Services – Legislative  
Services  
S. Glover, Committee Clerk, Corporate Services – Legislative Services

## 2. **Declarations of Interest**

There were no declarations of interest.

## 3. **Adoption of Minutes**

Moved by Councillor Barton, Seconded by Councillor Smith,  
(96) That the minutes of the regular Works Committee meeting held on  
Wednesday, October 6, 2021, be adopted.

CARRIED

## 4. **Statutory Public Meetings**

There were no statutory public meetings.

## 5. **Delegations**

### 5.1 Wendy Bracken, Durham Resident, re: Memorandum and Quarterly Technical Report dated September 17, 2021 from S. Siopis, Commissioner of Works, re: Durham York Energy Centre Quarterly (Q2) Long-Term Sampling System Report

Wendy Bracken, Durham Resident appeared before the Committee regarding the Memorandum and Quarterly Technical Report dated September 17, 2021 from S. Siopis, Commissioner of Works, re: Durham York Energy Centre Quarterly (Q2) Long-Term Sampling System Report.

W. Bracken expressed her concerns that the AMESA reporting is missing the raw data, the laboratory report, the sampling report, accountability with respect to signatures by people with appropriate credentials, a necessary explanation and context, and units for some data.

W. Bracken raised further concerns that the characterization of the purpose of AMESA stated in the Durham York Energy Centre Quarterly (Q2) Long-Term Sampling System Report was incorrect, that there was no statement in the report that stated that the Ministry of the Environment, Conservation and Parks (MECP) had reviewed the report, and that the charts referenced in the Q2 report did not have an adequate description.

W. Bracken requested that staff be directed to:

- Provide all raw data and all underlying reports needed to make this
- Provide complete description of sampling methodology and whether results include all materials in all parts of the AMESA sampling system including probe and nozzle
- Ensure the report and underlying reports are signed and that everything is in writing; and
- Post the missing AMESA data for years 2015 to 2019

W. Bracken responded to questions from the Committee.

Staff responded to questions regarding whether the Region of Durham has any input with respect to the emissions from stacks at St. Marys Cement; and where the air monitoring systems are located in Durham Region.

Detailed discussion ensued regarding what information is already provided to the public in the annual AMESA reports. Staff clarified that the purpose of the quarterly reports is to act as a progress report in between the annual reports as requested by Committee, and to provide any additional information possible.

Moved by Councillor John Neal, Seconded by Smith,

- (97) A) That staff provide all raw data and all underlying reports as a link to the annual report;
- B) That staff provide a complete description of sampling methodology and whether results include all materials in all parts of the AMESA sampling system including probe and nozzle as a link to the annual report; and
- C) That staff be directed to post the missing AMESA data for years 2015 to 2019.

PARTS A) AND B) REFERRED BACK TO  
STAFF LATER IN THE MEETING (See  
Following Motions)

Moved by Councillor Barton, Seconded by Councillor John Neal,

- (98) That the main motion (97) of Councillor John Neal and Councillor Smith be amended to strike out Part C) in its entirety.

NOT VOTED ON

Moved by Regional Chair Henry, Seconded by Councillor McLean,

- (99) That the main motion (97) of Councillor John Neal and Councillor Smith be referred back to staff, save and except Part C).

CARRIED

Part C) of the main motion (97) of Councillors John Neal and Smith was not dealt with by the Committee.

## **6. Presentations**

There were no presentations heard.

## **7. Waste**

### **7.1 Correspondence**

There were no items of communication to be considered.

7.2 Reports

There were no Waste Reports to be considered.

8. **Works**

8.1 Correspondence

- A) Correspondence received from Kayla Mathieu, Oshawa Resident, dated September 13, 2021 re: Lack of Speed Enforcement on Simcoe Road North, specifically between Coates Road and Howden Road, in the City of Oshawa

Moved by Councillor John Neal, Seconded by Councillor Smith,  
(100) That Correspondence received from Kayla Mathieu, Oshawa Resident, dated September 13, 2021 re: Lack of Speed Enforcement on Simcoe Road North, specifically between Coates Road and Howden Road, in the City of Oshawa be referred to staff for a response.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

No

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

None

Members Absent: None

Declarations of Interest: None

- B) Correspondence received from Dave Burton, President, Good Roads, dated October 19, 2021 re: Correspondence to the Ministry of Transportation with respect to discussion at a recent Board of Directors meeting regarding Modified Exhausts and Noisemakers

Detailed discussion ensued regarding the endorsement of the correspondence received from Dave Burton, President, Good Roads.

Discussion also ensued regarding the Works Committee putting forward a Durham Region resolution with respect to modified exhausts and noisemakers.

Councillor Crawford advised that the Town of Ajax recently passed a similar motion and that she would share the motion with staff. Staff advised that they would work with the legal department to prepare a motion and determine the best way to take this forward.

Moved by Councillor Crawford, Seconded by Councillor John Neal,  
(101) That we recommend to Council:

That Correspondence received from Dave Burton, President, Good Roads, dated October 19, 2021 re: Correspondence to the Ministry of Transportation with respect to discussion at a recent Board of Directors meeting regarding Modified Exhausts and Noisemakers be endorsed.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

<u>Yes</u>	<u>No</u>
Councillor Barton	None
Councillor Crawford	
Regional Chair Henry	
Councillor Marimpietri	
Councillor McLean	
Councillor John Neal	
Councillor Smith	
Councillor Mitchell, Chair	

Members Absent: None

Declarations of Interest: None

## 8.2 Reports

- A) Renewal of Lease Agreement with Campbell Drive Professional Building Inc. for the Regional Municipality of Durham Social Services Department, Located at 2 Campbell Drive, Suites 301 – 305, in the Township of Uxbridge (2021-W-38)

Report #2021-W-38 from S. Siopis, Commissioner of Works, was received.

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

- A) That the renewal of Lease Agreement with Campbell Drive Professional Building Inc., for the premises located at 2 Campbell Drive, Suites 301– 305, in the Township of Uxbridge, and containing approximately 446.86 square metres (4,810 square feet) of office space be approved on the following terms and conditions:

- i) The term is for a period of two years commencing November 1, 2021 and ending October 31, 2023;
- ii) The annual rental rate for the term of the lease will be \$64,935.00\* based on the rate of \$145.31\* per square metre (\$13.50\* per square foot) per annum;
- iii) The additional rental rate for the term of the lease will be \$70,947.50\* based on the rate of \$158.77\* per square metre (\$14.75\* per square foot) per annum to cover operating costs for the building, common areas and the leased premises. The per square foot dollar amount of additional rent is to be adjusted annually based on actual costs;
- iv) The Regional Municipality of Durham will be invoiced \$600.00\* annually by the Landlord for pylon sign rental;
- v) The Regional Municipality of Durham shall have the option to extend the lease for an additional two years subject to the same terms and conditions; and
- vi) That the Regional Chair and Clerk be authorized to execute all documents associated with this Lease Agreement.  
(\* before applicable taxes

CARRIED

B) Renewal of Lease Agreement with Port Perry Annex Corporation for Premises occupied by the Durham Region Health Department, Located at 181 Perry Street, in the Township of Scugog, in Port Perry (2021-W-39)

Report #2021-W-39 from S. Siopis, Commissioner of Works, was received.

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

- A) That the renewal of the Lease Agreement with Port Perry Annex Corporation, for premises located at 181 Perry Street, in the Township of Scugog, in Port Perry, containing approximately 362 square metres (3,897 square feet) of office space be approved with the following terms and conditions:
  - i) The term is for a period of five years commencing October 1, 2021 and ending September 30, 2026;
  - ii) The annual rental rate for the five-year period is \$70,146\* based on a rate of \$193.75\* per square metre (\$18.00\* per square foot) per annum;
  - iii) The Regional Municipality of Durham is responsible for a share of operating costs for the building, common areas and the leased premises

including janitorial and utilities totaling approximately \$1,792.62\* per month and its proportionate share of property taxes of approximately \$10,575 per annum;

- iv) The Regional Municipality of Durham has the option to extend the lease for an additional five years subject to the same terms and conditions save and except the rental rate to be negotiated, upon providing four months prior written notice; and

- B) That the Regional Chair and Clerk be authorized to execute all documents associated with this Lease Agreement.

(\* before applicable taxes

CARRIED

- C) Amendment and Extension of Lease Agreement with 513072 Ontario Inc. for Premises occupied by Social Services, Family Services Division located at 234 King Street East, in the Municipality of Clarington (2021-W-40)

Report #2021-W-40 from S. Siopis, Commissioner of Works, was received.

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

- A) That the Amendment and Extension of the Lease Agreement with 1513072 Ontario Inc., for premises located at 234 King Street East, in the Municipality of Clarington containing approximately 180.25 square metres (1,940.3 square feet) of office space be approved with the following terms and conditions:

- i) The term is for a period of two years commencing December 1, 2021 and ending November 30, 2023;
- ii) The annual rental rate for the two-year period is \$23,283.60\* based on a rate of \$129.16\* per square metre (\$12.00\* per square foot) per annum;
- iii) The Regional Municipality of Durham will be responsible for all operating costs for the space including utilities, janitorial and security;
- iv) The Regional Municipality of Durham will remain responsible for a proportionate share of property taxes which is estimated to be \$8,450 per annum;
- v) The Regional Municipality of Durham have the option to extend the lease for an additional two years, under the same terms and conditions subject to the rental rate being negotiated; and

- B) That the Regional Chair and Clerk be authorized to execute all documents associated with this Lease Agreement.

(\* ) before applicable taxes  
CARRIED

- D) Amendment and Extension of Lease Agreement with Michael Kassabian and Dikran Kassabian for premises occupied by Durham Region Paramedic Services located at 9 St. George Street, in the Municipality of Clarington (2021-W-41)

Report #2021-W-41 from S. Siopis, Commissioner of Works, was received.

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

- A) That the Amendment and Extension of Lease Agreement with Michael Kassabian and Dikran Kassabian for premises located at 9 St. George Street in Municipality of Clarington, containing approximately 235.56 square metres (2,535.55 square feet) of space be approved with the following terms and conditions:
- i) The term is for a period of five years commencing November 1, 2021 and ending October 31, 2026;
  - ii) The annual rental rate for the five-year period is \$30,426.60\* based on a rate of \$129.17\* per square metre (\$12.00\* per square foot) per annum;
  - iii) The Regional Municipality of Durham will be responsible for all operating costs for the building and the leased premises including utilities, janitorial, security, and grounds maintenance;
  - iv) The Regional Municipality of Durham is responsible for two third (2/3) of the property taxes. The Regional Municipality of Durham's share of property taxes is estimated to be \$8,796.21 per annum;
  - v) The Regional Municipality of Durham have the option to extend the lease for an additional three years subject to the same terms and conditions save and except the rental rate to be negotiated, upon providing six months prior written notice; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with this Lease Agreement.  
(\* ) before applicable taxes

CARRIED

- E) Approval of Capital Works and Financing to be Incorporated into a Servicing Agreement with the Brooklin Centre Town Landowners Group, and in a Subdivision Agreement with Winash Partnership Limited and Brooklin Commercial Developments Limited, Including Cost Sharing in Accordance with



the Region Share Policy, for the Extension and Oversizing of a Trunk Sanitary Sewer, in the Town of Whitby (2021-W-43)

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Report #2021-W-43 from S. Siopis, Commissioner of Works, was received.

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

- A) That capital works and financing estimated at \$6,945,700 for the Region share of a \$13,167,400 total cost trunk sanitary sewer in Brooklin in the Town of Whitby, be approved;
- B) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement with a Region Share payment to the Brooklin Centre Town Landowners Group estimated at \$5,451,000 for the Region for the oversizing of a trunk sanitary sewer, east of Baldwin Street, in the Town of Whitby, at an estimated total project cost of \$10,437,700;
- C) That the Regional Municipality of Durham be authorized to enter into a Subdivision Agreement with a Region Share payment to Winash Partnership Limited and Brooklin Commercial Developments Limited (collectively, Fieldgate) estimated at \$1,494,700 for the of oversizing of a trunk sanitary sewer, west of Baldwin Street, in the Town of Whitby, at an estimated total project cost of \$2,729,700;
- D) That financing for the capital works, estimated at \$13,167,400, be provided from the following sources:

**Developer's Share – Sanitary Sewer**

Brooklin Centre Town Landowners Group	\$4,986,700
Fieldgate	<u>\$1,235,000</u>

**Total Developer's Share** **\$6,221,700**

**Regional Costs – Sanitary Sewer**

2021 Sanitary Sewerage System Capital Budget

Item 46: West Brooklin Trunk Sanitary Sewer

Residential Development Charges (Project ID: D2002)	\$4,389,255
Commercial Development Charges (Project ID: D2002)	273,585
User Rate (Project ID: D2002)	<u>1,284,660</u>
	<u>\$5,947,500</u>

2021 Sanitary Sewerage System Capital Budget

Item 148: Allowance for Regional share for works in conjunction with residential subdivision development:

Residential Development Charges (Project ID: M2110)	\$736,672
Commercial Development Charges (Project ID: M2110)	45,917
User Rate (Project ID: M2110)	<u>215,611</u>
	<u>\$998,200</u>

**Total Regional Share – Sanitary Sewer** **\$6,945,700**

**Total Project Financing** **\$13,167,400**  
CARRIED

- F) Renewal of Lease Agreement with the Incorporated Synod of the Diocese of Toronto for Premises Occupied by Durham Regional Police Service, located at 1173 Cedar Street, in the City of Oshawa (2021-W-44)

Report #2021-W-44 from S. Siopis, Commissioner of Works, was received.

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

- A) That the renewal of the Lease Agreement with The Incorporated Synod of the Diocese of Toronto, for premises located at 1173 Cedar Street, in the City of Oshawa, containing a prefabricated building for use by Durham Regional Police Service be approved with the following terms and conditions:
- i) The term is for a period of five years commencing January 1, 2022 and ending December 31, 2026;
  - ii) The annual rental rate for the five-year term is \$17,650.00\* per annum;
  - iii) The Regional Municipality of Durham is responsible for all operating costs for the premises including cable, utilities, grounds maintenance, and janitorial services;
  - iv) The Regional Municipality of Durham has the option to extend the lease for three additional five-year terms, under the same terms and conditions subject to rent escalation; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with this Lease Agreement.  
(\* before applicable taxes

CARRIED

- G) Declaration of Lands as Surplus and Approval to Convey the Surplus Lands to the Adjacent Landowner as part of a Land Exchange for Regional Requirements (2021-W-45)

Report #2021-W-45 from S. Siopis, Commissioner of Works, was received.

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

- A) That property municipally known as 856 Arthur Street in the Municipality of Clarington, legally described as Part of Lot 27, Concession 2, Clarke, being Part 1 on 10R-833; subject to CK13490, Clarington, identified with PIN (Property Identification Number) 26653-0009 be declared surplus to Regional requirements;
- B) That Regional staff be authorized to enter into a Land Exchange Agreement with the adjacent property owner as follows:
  - i) The Regional Municipality of Durham will provide lands legally described as Part of Lot 27, Concession 2, Clarke, being Part 1 on Registered Plan 10R-833; subject to CK13490, Clarington, identified with PIN 26653-0009 and having a Fair Market Value of \$504,000 to Smooth Run Developments Inc. (operating as DG Group), once the existing Newcastle Zone 1 reservoir on the site has been fully decommissioned;
  - ii) Smooth Run Developments Inc. (operating as DG Group) will provide lands located along Arthur Street in the Municipality of Clarington, identified as Part of Lot 27, Concession 2, Clarke, further described as Parts 1, 2 and 3 on Registered Plan 40R-31380, having a Fair Market Value of \$1,930,500;
- C) That financing for the land acquisition will be provided from the approved project budget for the Newcastle Zone 1 Reservoir (Project ID: D1202); and
- D) That the Commissioner of Works be authorized to execute all documents associated with this land exchange.

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 – Security of the Property of the Regional Corporation as it Relates to a Lease Agreement for Durham Regional Police Services (2021-W-42)

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Confidential Report #2021-W-42 from S. Siopis, Commissioner of Works, was received.

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

That the recommendations contained in Confidential Report #2021-W-42 of the  
Commissioner of Works be adopted.

CARRIED

## **11. Other Business**

### **11.1 Vision Zero Update**

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Councillor Crawford provided a brief update regarding Vision Zero. She advised that since her last update, there has been three fatalities across the Region that occurred on local roads in the City of Pickering and the Township of Brock. She further advised that 297 charges have been laid through the Red Light Camera (RLC) program and that the data has shown a 37% average improvement over speeds over the posted speed limits.

Councillor Crawford advised that the Kingston Road corridor through the Town of Ajax remains the highest collision and fatality location.

Detailed discussion ensued regarding the need for more flexibility in the use of Automated Speed Enforcement (ASE) cameras and the need for the province to expand enforcement possibilities; loosening the criteria for Community Safety Zone (CSZ) designations; photo radar being permitted on local roads; and the need for road design standards to change in order to improve driver behaviour.

### **11.2 Fencing at the Rosebank Reservoir in the City of Pickering**

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In response to a question from Councillor McLean regarding whether fencing is being installed at the Rosebank Reservoir in the City of Pickering to prevent tobogganing, J. Presta advised that fencing is being installed at the Rosebank Reservoir to provide security of the property, but he will follow-up with facilities staff and respond back to Councillor McLean directly with any further details.

## **12. Date of Next Meeting**

The next regularly scheduled Works Committee meeting will be held on Wednesday, December 8, 2021 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

## **13. Adjournment**

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

CARRIED

The meeting adjourned at 11:11 AM

Respectfully submitted,

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D. Mitchell, Chair

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S. Glover, Committee Clerk