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## **The Regional Municipality of Durham**

### **MINUTES**

#### **WORKS COMMITTEE**

**Wednesday, January 12, 2022**

A regular meeting of the Works Committee was held on Wednesday, January 12, 2022 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 Dies  
Councillor Foster  
Councillor Mulcahy attended for part of the meeting  
Councillor Pickles attended the meeting at 9:36 AM  
Councillor Wotten

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer  
G. Anello, Director of Waste Management  
D. Beaton, Commissioner of Corporate Services  
B. Bridgeman, Commissioner of Planning & Economic Development  
J. Demanuele, Director of Business Services, Works Department  
W. Holmes, General Manager, DRT  
J. Hunt, Regional Solicitor/Director of Legal Services, Corporate Services –  
Legal Services  
R. Inacio, Systems Support Specialist, Corporate Services – IT  
R. Jagannathan, Director of Transportation and Field Services  
A. Porteous, Supervisor, Waste Management Services. Works Department  
J. Presta, Director of Environmental Services  
S. Siopis, Commissioner of Works  
R. Walton, Regional Clerk/Director of Legislative Services  
N. Prasad, Assistant Secretary to Council, Corporate Services – Legislative  
Services  
K. Smith, 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 McLean,  
(1) That the minutes of the regular Works Committee meeting held on  
Wednesday, December 8, 2021, be adopted.

CARRIED

**4. Statutory Public Meetings**

There were no statutory public meetings.

**5. Delegations**

5.1 Wendy Bracken, Durham Resident, re: Report #2022-WR-1: Long-Term Waste Management Plan 2021 Consultation, Final Long-Term Waste Management Plan 2021 to 2040 and first Five-Year Action Plan [Item 7.2 A)]

Wendy Bracken, Durham resident, appeared before the Committee regarding Report #2022-WR-1: Long-Term Waste Management Plan 2021 Consultation, Final Long-Term Waste Management Plan 2021 to 2040 and first Five-Year Action Plan.

W. Bracken stated that the Long-Term Waste Management Plan (LTWMP) is an important plan that impacts all regional interests and departments and feels it should be considered at the Committee of the Whole. She stated that her main concerns are as follows:

- Guiding Principles are flawed as they are missing key principles to address reduction of toxic loading to environment;
- Missing simple, low-cost, low-tech front-end actions to maximize diversion and minimize impacts;
- Insufficient consideration, analysis of incineration impacts;
- Insufficient metrics to monitor performance and impacts as well as protect public; and
- Report should be amended to include up-to-date data.

W. Bracken expressed concerns with the first sentence of the second paragraph as noted in the Introduction of the draft Plan. She feels the Guiding Principles are flawed in that they are missing environmental outcomes such as reducing toxic load to the environment. She stated that protecting the environment is listed as the last Objective and the strategic plan identifies environmental sustainability as a goal but environmental sustainability goes beyond reducing greenhouse gas emissions and feels the Guiding Principles should reflect this. She added that the impact to the environment should be the number one concern.

Moved by Councillor John Neal, Seconded by Councillor McLean,

(2) That W. Bracken be granted a one-time two-minute extension to finish her delegation.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

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

No

Councillor Barton

Members Absent: None

Declarations of Interest: None

W. Bracken stated she feels there is insufficient consideration and analysis of incineration impacts as well as insufficient metrics; that the Plan is missing simple, low-cost, low-tech front-end actions which could help to maximize diversion and minimize impact; and that the Plan assumes projects are going to move forward that are not yet approved.

W. Bracken responded to questions of the Committee.

5.2 Linda Gasser, Durham Resident, re: Report #2022-WR-1: Long-Term Waste Management Plan 2021 Consultation, Final Long-Term Waste Management Plan 2021 to 2040 and first Five-Year Action Plan [Item 7.2 A)]

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Linda Gasser, Durham resident appeared before the Committee regarding Report #2022-WR-1: Long-Term Waste Management Plan 2021 Consultation, Final Long-Term Waste Management Plan 2021 to 2040 and first Five-Year Action Plan.

L. Gasser feels that the Long-Term Waste Management Plan should be presented to the Committee of the Whole as it impacts the entire Region. She expressed concerns that more details and data are needed to understand the material streams including processing and costs; that there are competing narratives around the Plan's focus and vary from reduction and diversion; that the draft Plan assumes approvals for projects that have not yet been approved; that there are a lot of "forward looking statements" about mixed waste pre-sort and how that might address Plan objectives but little detail; and the Plan lacks a description of the disposal in addition to what is burned at the incinerator.

L. Gasser feels there would be a benefit from the review of the options to measure, track and report on performance and questioned how the Region of Durham would measure and differentiate what is "avoidable" and what isn't.

L. Gasser also feels the focus should be in the reduction of waste generation for all material streams; that the Region of Durham could report waste generation per capita and per household for all material streams, broken down by lower tier municipality; that the Region of Durham should continue to report on Blue box diversion until the transition to EPR is finalized as well as non blue box diversion programs and then re-evaluate; that the Region of Durham must remain flexible and respond to changes; and, that there are inconsistent statements about focus and primary objectives and clarity and consistency is essential.

L. Gasser responded to questions of the Committee.

## **6. Presentations**

### **6.1 Christine Roarke, HDR Inc. and Angela Porteous, Supervisor, Waste Management Services, re: Long-Term Waste Management Plan 2021 Consultation, Final Long-Term Waste Management Plan 2021 to 2040 and first Five-Year Action Plan (2022-WR-1) [Item 7.2 A]**

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Christine Roarke, HDR Inc. and Angela Porteous, Supervisor, Waste Management Services, provided a PowerPoint Presentation with regards to the Long-Term Waste Management Plan 2021 Consultation, Final Long-Term Waste Management Plan 2021 to 2040 and first Five-Year Action Plan. A copy of the presentation material was provided to members in advance of the meeting.

G. Anello introduced C. Roarke and A. Porteous and provided a brief background on the development of the draft Waste Plan, Targets, and Short, Mid and Long-term Actions.

C. Roarke and A. Porteous provided an overview of the Long-Term Waste Management Plan development. Highlights of the presentation included:

- Long-Term Waste Management Plan Development
- Development of Draft Waste Plan, Targets and Short, Mid and Long-Term Actions
- Waste Plan Consultation (2020-2021)
- What We Heard
- Long-Term Waste Management Plan – Development and Update Framework
- Waste Plan Targets and Actions
- Next Steps

A. Porteous provided an overview of the consultation that was undertaken to develop the Plan and advised of the comments received through the consultation process. She also provided an overview of the development and update framework which consists of the following pillars: Guiding Principles; Vision; Objectives; Targets; Actions; the Long-Term Waste Management Plan; and the Five-Year Action Plan.

With regards to the Waste Plan Targets and Actions, A. Porteous stated that targets have been developed to meet the objectives; there are measurements to assess the progress on meeting targets; and actions have been developed for the Region and the community to contribute to meeting the targets. She advised that the timelines for the actions have been broken down into short-term; mid-term; and long-term action plans. She also advised that the targets and actions will be reviewed during the timelines and that the Action Plan will be reviewed and updated every five years.

C. Roarke provided a detailed overview of the Targets, Measures and Actions being proposed for the following five objectives of the Five-Year Action Plan:

- Objective 1 – Engage with residents to build an understanding and awareness of the 5Rs and the Region’s waste management programs and services;
- Objective 2 – Reduce the quantity of waste we create;
- Objective 3 – Increase diversion of waste from disposal and support the circular economy;
- Objective 4 – Support the Region’s greenhouse gas (GHG) reduction and climate change mitigation efforts; and
- Objective 5 – Protect or improve water, land and air quality in Durham Region.

A. Porteous stated that with regards to the Five-Year Action Plan, actions are aligned with the 2022 budget and capital forecast being presented in February 2022; implementation and work on the 2022 actions can begin after budget approval; the progress on targets will be reported annually; and after five years, the Action Plan will be reviewed.

Staff responded to questions with regards to whether consultation was done with any of the Region's Advisory Committees as well as with local education institutions (Durham College, Ontario Tech University, Western University). Staff was requested to make contact with those education institutions to see if there are any further comments to be provided.

Staff also responded to questions with regards to whether the Region participates in benchmarking initiatives with other Regions; the use of clear bags; and whether the Region has completed the actions listed under Target 1A, Objective 1.

## **7. Waste**

### **7.1 Correspondence**

There were no items of communication to be considered.

### **7.2 Reports**

#### **A) Long-Term Waste Management Plan 2021 Consultation, Final Long-Term Waste Management Plan 2021 to 2040 and first Five-Year Action Plan (2022-WR-1)**

Report #2022-WR-1 from S. Siopis, Commissioner of Works, was received.

Staff responded to questions with regards to clarification on the Region's decision to not go forward with the clear bag project; and to elaborate from a climate change perspective on whether there is less carbon produced from incinerating garbage versus the use of landfills.

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

That the final Long-Term Waste Management Plan 2021 to 2040 as contained in Attachment #2 to Report #2022-WR-1, and the first Five-Year Action Plan as contained in Attachment #3 to Report #2022-WR-1, be endorsed.

CARRIED AS AMENDED LATER IN THE  
MEETING ON A RECORDED VOTE (SEE  
FOLLOWING MOTION)

Moved by Councillor Barton, Seconded by Councillor John Neal,

(4) That the main motion (3) of Councillors McLean and Smith be amended by adding the following as new Parts B) and C), and that the main motion be re-lettered accordingly;

- B) That Attachment #2 be amended by deleting the words “will remain consistent throughout the life of the of the Waste Plan without further review and updating” and replacing them with the words “will be achieved through” in the first sentence of the second paragraph listed under the Introduction of the Durham Region Long-term Waste Management Plan final draft, so the paragraph reads as follows:

“The approved Guiding Principles, Vision and Objectives **will be achieved through** Action Plans, with measurable targets and accompanying actions for the following timelines – short-term (2022 to 2026), mid-term (2027 to 2033) and long-term (2034 to 2040) which will be reviewed and updated (if required) every five years to ensure alignment with corporate direction and associated legislation.”; and

- C) That Attachment #3 be amended by deleting the words “without further review and updating” in the last sentence of the paragraph listed under the Guiding Principles, Vision and Objectives of the Five-Year Action Plan, so the sentence reads as follows:

“The approved guiding principles, vision and objectives will remain consistent throughout the life of the Waste Plan.”

CARRIED

The main motion (3) of Councillors McLean and Smith was then put to a vote and CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE:

Yes

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

No

Councillor John Neal

Members Absent: Councillor Marimpietri

Declarations of Interest: None

**8. Works**

8.1 Correspondence

There were no items of communication to be considered.

8.2 Reports

A) Expropriation of Lands Required for the Proposed Regional Road 4 Rehabilitation Project East of Langmaid Road in the Municipality of Clarington (2022-W-1)

Report #2022-W-1 from S. Siopis, Commissioner of Works, was received. A revised page 2 of the Report was provided.

Moved by Councillor McLean, Seconded by Regional Chair Henry,

(5) That we recommend to Council:

- A) That authority be granted to Regional Municipality of Durham staff to initiate expropriation proceedings where necessary for the property requirements related to the proposed Regional Road 4 Rehabilitation Project along Regional Road 4 as depicted in Attachments #1 and #2 to Report #2022-W-1 and as such other property requirements as may be determined and identified by Regional Municipality of Durham staff for the Regional Road 4 Rehabilitation Project;
- B) 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 C of Report #2022-W-1, including the Notices of Application of Approval to Expropriate;
- C) That authority be granted to Regional Municipality of Durham staff to serve and publish Notices of Application for Approval to Expropriate the property requirements as described in Recommendation A of Report #2022-W-1, and to forward to the Ontario Land Tribunal any requests for hearing that is received, to attend the hearings to present the Regional Municipality of Durham's position, and to present the Ontario Land Tribunal's recommendations to Regional Council for consideration; and
- D) That despite seeking approval to commence expropriation pursuant to the recommendations in Report #2022-W-1, should amicable agreements be reached for any required property acquisitions, that such agreements and reports required for settlements pursuant to the *Expropriations Act*, R.S.O. 1990, c. E.26 related to the Regional Road 4 Rehabilitation Project approved in accordance with the Delegation of Authority By-Law 29-2020, remain confidential in accordance with section 239 (2)(c) of the *Municipal Act, 2001*, S.O. 2001, c. 25, 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 compensation claims have been resolved on a full and final basis.

CARRIED



B) Declaration of Lands as Surplus and Memorandum of Understanding with the Township of Scugog for Regional Land Requirements (2022-W-2)

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Report #2022-W-2 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Regional Chair Henry,

(6) That we recommend to Council:

- A) That property municipally known as 121 Queen Street, in the Town of Port Perry, Township of Scugog, legally described as Parts Lots 122 & 123, Plan H50020, Part 1, 40R-4015; Township of Scugog, identified with Property Identification (PIN) 26776-0074, be declared surplus to Regional requirements;
- B) That Regional staff be authorized to enter into a Memorandum of Understanding with the Township of Scugog for a land exchange under the following terms:
  - i) The Regional Municipality of Durham will transfer lands legally described as Parts Lots 122 & 123, Plan H50020, Part 1, 40R-4015; Township of Scugog identified with PIN 26776-0074 and having an estimated value of \$5,500, to the Township of Scugog once the existing sanitary sewage pumping station on the site has been fully decommissioned;
  - ii) The Regional Municipality of Durham will pave the land being transferred, and the surrounding gravel areas which are currently owned by the Township of Scugog, prior to the parcel being transferred. The Regional Municipality of Durham will also fully restore the staging area after construction;
  - iii) All costs, legal or otherwise, incurred by the Township related to the land transfer will be the responsibility of the Regional Municipality of Durham;
  - iv) The Township of Scugog will provide lands located in the south-west corner of Birdseye Park adjacent to the outdoor pool facility located at 254 Water Street in the Town of Port Perry, identified as Water Lot, Lying North of Water Street & North & East of Lot 127 George's Place; Part Water Lot C in Front of Lot 19, in the 6<sup>th</sup> Concession in Lake Scugog as in CO182255; Part Lot 127 & Part Water Street Plan H50020 as in CO182255; Scugog; and having an estimated value of \$33,000, for the Region to construct a new sanitary sewage pumping station. The Township of Scugog will further provide easements and temporary work areas over lands owned by the Township of Scugog including properties located at 215 Water Street, 223 Water Street, and the current parking area at the terminus of Water Street adjacent to the Birdseye Park;

- C) That the requirements of sections 2, 3 and 5 of Regional By-law #52-95 be waived to facilitate the land exchange between the Regional Municipality of Durham and the Township of Scugog, for nominal consideration; and
- D) That the Commissioner of Works be authorized to execute all documents associated with this land exchange.

CARRIED

- C) Tender Award and Additional Financing for Regional Municipality of Durham Contract D2021-19 for Road Rehabilitation on York Durham Line (Regional Road 30) from Wagg Road to Aurora Road (York Regional Road 15), in the Township of Uxbridge (2022-W-4)

Report #2022-W-4 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Regional Chair Henry,

(7) That we recommend to Council:

- A) That Regional Municipality of Durham Contract D2021-19 be awarded to the lowest compliant bid from Grascan Construction Ltd., in the amount of \$2,587,000\* for a total estimated project cost of \$3,567,000;
- B) That the previously approved project budget of \$3,150,000 be increased by \$417,000 to a revised total project budget of \$3,567,000;
- C) That the additional General Tax financing of \$417,000 be determined at the discretion of the Commissioner of Finance; and
- D) That the Commissioner of Finance be authorized to execute any documents related to the award of the tender.

CARRIED

- D) Additional Financing for Unbudgeted Capital Projects Declared as Emergencies (2022-W-5)

Report #2022-W-5 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor McLean, Seconded by Regional Chair Henry,

(8) That we recommend to Council:

- A) That information related to unbudgeted capital work resulting from emergency events be received for information; and
- B) That additional financing for the completion of the unbudgeted capital projects be provided from surplus funding from within the 2021 Water Supply and Sanitary Sewerage System Budgets at the discretion of the Commissioner of Finance for the following unbudgeted capital work:

Water Supply

Emergency Back-up Power Generator  
Replacement – Ajax Water Supply Plant \$355,000

Ultraviolet (UV) Treatment Unit Replacement –  
Sunderland Municipal Well #1 \$814,000

Sanitary Sewer

Digester Complex Cladding Failure – Corbett  
Creek Water Pollution Control Plant \$855,000  
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 Works – Litigation or Potential Litigation, including matters before Administrative Tribunals with respect to Contract D2016-34, Whites Road and Kingston Road BRT Lane Widening in the City of Pickering and Mediated Settlement of all Outstanding Claims (2022-W-3)

Confidential Report #2022-W-3 from S. Siopis, Commissioner of Works, was received.

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

That the recommendations contained in Confidential Report #2022-W-3 of the Commissioner of Works be adopted.

CARRIED

- B) Confidential Report of the Commissioner Works – Advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to a settlement proposal regarding frontage and connection charges being imposed for the construction of a watermain on Range Road, Lake Ridge Road South, and Ontoro Boulevard, in the Town of Ajax (2022-W-6)

Confidential Report #2022-W-6 from S. Siopis, Commissioner of Works, was received.

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

That the recommendations contained in Confidential Report #2022-W-6 of the  
Commissioner of Works be adopted.

CARRIED

## **11. Other Business**

### **11.1 J. Demanuele re: Micro-Housing Project, City of Oshawa**

J. Demanuele provided a slideshow illustrating pictures of the delivery of one of the microhomes to the site in the City of Oshawa. She advised that the microhomes are being installed on lands acquired from the Gibb Street/Olive Avenue realignment project and are being delivered to the site from January 11 to 13, 2022. The site will be the temporary location for the microhomes until construction for that segment of the road progresses, in about 5 years. She advised that a total of 12 units are being installed on the site consisting of 10 micro homes and 2 servicing units and the installation is expected to be fully completed by January 30, 2022.

J. Demanuele responded to questions regarding whether there are similarities with the modular construction housing at the Beaverton site; and the management of the microhomes.

### **11.2 John Presta – COVID-19 Wastewater Monitoring Program**

J. Presta, provided an update on the COVID-19 Wastewater Monitoring Program. He advised that the Ontario Science Table plans to use the modelling results on their website. Works staff have been collecting wastewater samples for analysis for the past year and a half and is the analysis and data used by the Health Department. He advised that the Ontario Tech University in Oshawa provides the testing for the samples and that wastewater testing measures a fragment of the virus that causes the COVID-19 infection. He stated that the fragments can be shed in the feces of an infected person a few days before and up to two to three weeks after the person begins to feel ill and that the fragments are not infectious and the risk of contracting COVID-19 from wastewater is considered to be low. He provided an overview of the locations being monitored and stated that the wastewater testing does not replace clinical testing but in the absence of robust clinical testing, it provides important information that can be used.

J. Presta responded to a question with regards to the sampling done by the Region of York.

Questions to staff

Staff was asked to provide clarification with regards to the plumes emitted from the incinerator stacks. Staff was also requested to provide clarification on St. Mary's Cement's emissions and their emissions in comparison to other industries including the Durham York Energy Centre.

**12. Date of Next Meeting**

The next regularly scheduled Works Committee meeting will be held on Wednesday, February 2, 2022 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

**13. Adjournment**

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

CARRIED

The meeting adjourned at 11:37 AM

Respectfully submitted,

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D. Mitchell, Chair

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N. Prasad, Assistant Secretary to Council