



The Regional Municipality of Durham

Works Committee Agenda

Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Wednesday, February 2, 2022

9:30 AM

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 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 – January 12, 2022

Pages 4 - 16

4. Statutory Public Meetings

There are no statutory public meetings

5. Delegations

There are no delegations

6. Presentations

- 6.1 Ramesh Jagannathan, Director of Transportation and Field Services, and Gioseph Anello, Director of Waste Management Services, re: 2022 Business Plans and Budgets for the Works Department's General Tax and Solid Waste Management Operations (2022-W-13) [Item 8.2 G]

7. Waste

- 7.1 Correspondence

- 7.2 Reports

There are no Waste reports

8. Works

- 8.1 Correspondence

- 8.2 Reports

- A) Memorandum of Understanding with the Mississaugas of Scugog Island First Nation and the Regional Municipality of Durham related to Water Supply and Wastewater Systems (2022-W-7) 17 - 24
- B) Standardization and Sole Source Acquisition of Workstation Booking Subscription Services from OfficeSpace Software Inc. (2022-W-8) 25 - 28
- C) Approval of Capital Works and Financing to be Incorporated into a Servicing Agreement with CSPAC Industrial Garrard GP, Inc., Including Cost Sharing in accordance with the Region Share Policy, for the Extension and Oversizing of a Sanitary Sewer and construction of a Local Watermain under the Region's Well Interference Policy, in the Town of Whitby (2022-W-9) 29 - 36
- D) Status Update on the Request from Hamilton Oshawa Port Authority for the Assumption of Ownership of Farewell Street (Regional Road 56) South of Harbour Road, City of Oshawa (2022-W-10) 37 - 51

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| E) Approval of Capital Works to be Incorporated into a Servicing Agreement with Seaton TFPM Inc. for the Construction of local water and sanitary sewer services and a Seaton Area Specific Development Charge Watermain to be Included in a Future Front Ending Agreement with the Seaton Landowners Group, in The City of Pickering (2022-W-11) | 52 - 58 |
| F) Update on Regional Road 18 Pilot Reconstruction Project using Recycled Waste Materials and Approval to Tender and Construct Phase 2 (2022-W-12) | 59 - 66 |
| G) 2022 Works Department Business Plans and Budgets (2022-W-13) | 67 - 82 |

[Link to the 2022 Business Plans and Budgets for the Works Department's General Tax and Solid Waste Management Operations](#)

9. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered

10. Confidential Matters

There are no confidential matters to be considered

11. Other Business

12. Date of Next Meeting

Wednesday, March 2, 2022 at 9:30 AM

13. Adjournment

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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]

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)

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 6th 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,

D. Mitchell, Chair

N. Prasad, Assistant Secretary to Council

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



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2022-W-7
Date: February 2, 2022

Subject:

Memorandum of Understanding with the Mississaugas of Scugog Island First Nation and the Regional Municipality of Durham related to Water Supply and Wastewater Systems

Recommendations:

That Works Committee recommends to Regional Council:

- A) That the Regional Municipality of Durham enter into a Memorandum of Understanding with the Mississaugas of Scugog Island First Nation related to their water supply and wastewater systems in a form satisfactory to the Commissioner of Works and the Regional Solicitor.
 - B) That a copy of this report be provided to the Township of Scugog; and,
 - C) That the Regional Chair and Clerk be authorized to execute the required documentation related to the Memorandum of Understanding.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Regional Council approval to enter into a Memorandum of Understanding with the Mississaugas of Scugog Island First Nation (MSIFN) related to their water supply and wastewater systems.

2. Background

- 2.1 The MSIFN are nearing completion of upgrades to their on-site water supply and wastewater systems. The on-site systems service the customers on the MSIFN lands which includes the Great Blue Heron Casino and associated users. The recent investments made to the on-site systems will resolve the historical Boil Water and Drinking Water Advisories.
- 2.2 The on-site water supply and wastewater systems are owned by the MSIFN and operated by a third-party licenced operator who will transition operations to MSIFN staff in the future.
- 2.3 There are properties on Scugog Island which are serviced by private communal water supply systems and individual private sewage disposal systems. Historical servicing challenges have existed with the areas external to the MSIFN lands on Scugog Island. However, site-specific conditions are not fully documented or up to date.

3. Memorandum of Understanding

- 3.1 Upon completion of the upgraded MSIFN's water supply and wastewater systems, the MSIFN has expressed an interest in investigating the feasibility of servicing other potential customers on Scugog Island.
- 3.2 The MSIFN has approached the Region to work collaboratively as part of the need and feasibility stages of the investigation through the establishment of a non-binding Memorandum of Understanding (MOU). (Attachment #1)
- 3.3 The MSIFN will establish the resources to conduct the technical, environmental, and financial feasibility studies.
- 3.4 The MOU will provide the mechanism for MSIFN and the Region to review and share information to meet common community objectives.
- 3.5 The Region will provide in-kind services related to senior government relations, technical expertise, and documentation review.

4. Financial Implications

- 4.1 The proposed MOU with the MSIFN does not include any financial commitment by the Region, except for in-kind staff resources to provide review and input on the need and potential feasibility of servicing areas outside of the MSIFN lands on Scugog Island.
- 4.2 MSIFN and the Region will explore any potential funding initiatives which may be available. Any initiatives which require joint applications will be reviewed by the Region. Regional Council approval will be sought should there be any financial commitment requirements beyond in-kind services related to potential funding applications.

5. Previous Reports

- 5.1 There have not been any previous reports presented to Council on this subject.

6. Relationship to Strategic Plan

- 6.1 This report aligns with/addresses the following strategic goals and objectives in the Durham Region Strategic Plan:
- 6.2 Service Excellence:
 - a. Optimize resources and partnerships to deliver exceptional quality services and value.
 - b. Collaborate for a seamless service experience.

7. Conclusion

- 7.1 The proposed MOU with the MSIFN provides an opportunity to investigate the feasibility of improving water supply and wastewater servicing on Scugog Island.
- 7.2 It is recommended that the Regional Chair and Clerk be authorized to execute the MOU and associated documents.
- 7.3 This report has been reviewed by Legal Services - Corporate Services, Health, Planning and Economic Development and Finance Departments.

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

8. Attachment

Attachment #1: Draft MOU-MSIFN and Region

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

Memorandum of Understanding

Between

MISSISSAUGAS OF SCUGOG ISLAND FIRST NATION (“MSIFN”)

and

THE REGIONAL MUNICIPALITY OF DURHAM (“Region of Durham”)

WHEREAS MSIFN, which is a signatory to the Williams Treaties and Treaties 5, 16, 18, 20, 27 and 27 1/4, is a “band” for the purposes of the *Indian Act* and is self-governing with respect to the management of its reserve land pursuant to a Land Code developed under the *Framework Agreement on First Nation Land Management*;

AND WHEREAS the Region of Durham is an upper-tier municipality pursuant to the Ontario *Municipal Act, 2001*, which lies within the lands claimed by MSIFN as its traditional territory;

AND WHEREAS MSIFN’s Reserve No. 34 lies within the geographic boundaries of the Region of Durham;

AND WHEREAS the parties recognize the *United Nations Declaration on the Rights of Indigenous Peoples (2007)* as the framework for reconciliation between First Nations and the broader community;

AND WHEREAS MSIFN and the Region of Durham each recognize the jurisdiction and responsibilities of the other in their respective communities and that the interests of both communities are best served if the two authorities are able to work together in the spirit of reconciliation and collaborate in the solution of common issues and needs;

AND WHEREAS MSIFN are completing investments and upgrades to their community’s water supply and wastewater treatment infrastructure and are investigating the feasibility of providing water and wastewater servicing to potential customers on Scugog Island;

AND WHEREAS the parties wish to establish a government-to-government relationship to deal with issues of mutual interest and benefit arising from the potential establishment of a central water and wastewater system on Scugog Island;

NOW THEREFORE the Chief and Council of Mississaugas of Scugog Island First Nation, on behalf of its members and others occupying its lands, and the Chair and Council of the Region of Durham, on behalf of its citizens, hereby declare their mutual intentions to pursue a lasting relationship based upon mutual respect, honour and recognition.

PURPOSE

The purpose of this Memorandum of Understanding is:

1. To establish a government-to-government process between MSIFN and the Region of Durham, governed by the spirit of reconciliation, to discuss the potential for co-operative solutions to water and wastewater needs and issues in the two communities,
2. To establish a government-to-government working committee comprised of elected officials and/or staff to foster health, growth and well-being of the residents in their communities through the investigation of the potential for establishing a central water and wastewater system on Scugog Island owned and operated by MSIFN; and
3. To create a platform for meaningful, effective and transparent communication and information-sharing on all issues of mutual interest relating to the investigation by MSIFN to establish and operate a central water and wastewater system on Scugog Island serving both the MSIFN and Region of Durham communities, or parts thereof.

SHARED PRINCIPLES

This Memorandum of Understanding represents a commitment by the parties to develop a strong, committed and fair working relationship between their respective governments, working together for the rights and benefit of all, in accordance with the following:

1. It is recognized that MSIFN's history, culture and people have made significant contributions to social and economic prosperity of the Region of Durham.
2. The prosperity of our future relies upon the kind of relationships built today; reconciliation is a responsibility shared by both parties.
3. The parties believe that cooperative working relationships between local governments and First Nations are built on effective communication, respect and trust.

INVESTIGATION OF CENTRAL WATER AND WASTEWATER SYSTEM

MSIFN wishes to conduct an investigation to assess the need and feasibility of establishing a central water and wastewater system for Scugog Island and will:

- determine the need and justification for expansion of MSIFN's infrastructure to provide water and/or wastewater services to Scugog Island residents outside MSIFN's Reserve No. 34;
- conduct the Pre-Feasibility Technical, Environmental and Financial Studies; and
- determine if the viability of the Pre-Feasibility Studies is in the interests of MSIFN to continue forward.

The parties agree to establish a government-to-government working committee to advance the collaborative dialogue and joint work, which includes to:

- explore any potential funding initiatives that the parties could jointly apply for that would be applicable to the expansion of MSIFN's water and wastewater infrastructure;
- share information related to senior government relations, technical expertise and inputs required for the needs and feasibility of servicing Scugog Island;
- assist in documentation review of the technical, environmental and financial studies conducted by MSIFN; and
- provide any other assistance to MSIFN as agreed upon by the parties.

COMMUNICATION

1. The working committee shall hold meetings on an 'as-required' basis, with an annual meeting as a minimum.
2. The Chief and Council of MSIFN and the Chair and Council of the Region of Durham shall direct their respective administration to work together in preparing a Communications Protocol to share information with one another in regard to but not limited to matters mentioned above.
3. All outside media releases made jointly will be at the approval of the respective parties.

In this Memorandum, MSIFN and the Region of Durham mutually commit to use best efforts to establish a constructive dialogue aimed at exploring the potential for certain joint initiatives. Nothing in this Memorandum creates a legally binding agreement with respect to any such joint initiative.

Nothing in this Memorandum of Understanding abrogates or derogates from or shall be relevant to the interpretation of any Treaty, Aboriginal or other right of MSIFN.

[Signature Page Follows]

In witness whereof, the Parties have executed and delivered this Memorandum of Understanding as of the latter of the dates on which the Parties sign below.

MISSISSAUGAS OF SCUGOG ISLAND
FIRST NATION

Date: _____

Per: _____

Name: Kelly LaRocca
Title: Chief

Date: _____

Per: _____

Name: Laura Colwell
Title: Councillor

Date: _____

Per: _____

Name: Jeff Forbes
Title: Councillor

THE REGIONAL MUNICIPALITY OF
DURHAM

Date: _____

Per: _____

Name: John Henry
Title: Regional Chair

Date: _____

Per: _____

Name: Ralph Walton
Title: Regional Clerk



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2022-W-8
Date: February 2, 2022

Subject:

Standardization and Sole Source Acquisition of Workstation Booking Subscription Services from OfficeSpace Software Inc.

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That the Regional Municipality of Durham standardize on OfficeSpace Software Inc. to facilitate workstation booking capabilities;
 - B) To enter into a negotiated sole source agreement with OfficeSpace Software Inc. for the provision of a workstation booking subscription service for a period of up to five years at an annual cost of approximately \$80,000* to be financed through the annual Regional Headquarters Business Plan and Budget; and
 - C) That the Commissioner of Finance be authorized to execute the necessary documents related to this sole source agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Regional Municipality of Durham (Region) Council approval for the standardization and to enter into a negotiated sole source agreement with OfficeSpace Software Inc. (OfficeSpace) for the provision of a workstation booking subscription service for a period of up to five years.

1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

2.1 As part of the Workplace Modernization Project, the Region will transition to a permanent hybrid work model where operationally feasible. Employees will work in the office or remotely (i.e. at home or another Regional facility different from their assigned location) with many being free address, meaning when coming to the workplace staff will use a hotelling workstation. To facilitate this type of work model, a solution to manage hotelling workstations is necessary to ensure employees have a workstation when staff arrive at the office.

2.2 In November 2020, a Request for Proposal (RFP) was issued to solicit proposals from vendors for a workstation booking application for a period of one year, to pilot the application. Three vendors, Office Space, Condeco Software and Cresa were invited to bid on the RFP with only OfficeSpace and Condeco Software subsequently submitting bids. Following an evaluation of the two bids, OfficeSpace was awarded the contract for a value of \$60,000*. OfficeSpace met the Region's application and security requirements outlined in the requested RFP.

2.3 Throughout 2021, OfficeSpace was populated with eight Regional facilities, including administrative, Health, and Social Services facilities, to manage occupancy levels and reduced capacities as part of the return to the office planning. Regional employees were trained on the use of the application and had the opportunity to test the application and book a workstation when attending a Regional location during the COVID-19 pandemic. The application has proven to be very intuitive and has been successful in meeting the Region's needs.

3. Standardization and Justification for Sole Source

3.1 The application, OfficeSpace, is fully compatible with the Region's existing Information Technology (IT) platforms, such as Microsoft and Crestron, which allows it to be fully integratable with the Region's email platform Microsoft Outlook, Microsoft Teams collaboration software, and existing meeting room booking technology.

3.2 Standardization to OfficeSpace will provide continuity to Region employees. Workstation booking software applications are not interchangeable. A change of supplier would require all services provided by OfficeSpace to date to be duplicated, leading to additional costs (approximately \$125,000) to create a new

base application. A change in software will also result in lost time to convert floor plans, populate the system, train employees and create training instructions.

- 3.3 Changing suppliers would be a significant inconvenience to Region employees. All office-based Region employees have been introduced to OfficeSpace and are now booking workstations prior to coming into the office. Introducing a new application after utilizing OfficeSpace for over a year may cause confusion and would require additional time to retrain employees.
- 3.4 Changing suppliers would not allow for existing data transfer. Therefore, all data generated from OfficeSpace related to space utilization, growth forecasts, and stack planning would become obsolete and could not be applied for future space allocation considerations.
- 3.5 The flexibility of the room booking function provided by Officespace is a simple solution for Social Services whose existing interview room scheduling software is becoming obsolete in June 2022. Sourcing a new and possibly separate interview room booking system could lead to cost and time duplication, lack system interchangeability, and would not meet the timelines to replace the existing system.
- 3.6 Securing the workstation booking application from OfficeSpace Software Inc. will ensure consistency following the Region's successful piloting of the application over the last year.

4. Financial Implications

- 4.1 Section 7.2 of the Region's Purchasing By-law #16-2020 permits the acquisition of goods and services through sole source negotiations under specific circumstances outlined in Appendix C of the by-law. Section 1.2 of Appendix C permits negotiations for additional deliveries by the original supplier for goods/services not included in the initial procurement if a change of supplier cannot be made due to interchangeability with existing goods or services and would cause significant inconvenience or substantial duplication of costs. The by-law also requires approval by the appropriate standing committee and Council for the award of sole source contracts that exceed \$100,000 in value.
- 4.2 Financing for the continued provision of OfficeSpace at an annual upset limit of \$80,000* has been included in the 2022 Regional Headquarters proposed Business Plans and Budgets and will be included as required in any future year's Annual Business Plans and Budgets.

5. Relationship to Strategic Plan

- 5.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
- a. Goal 5: Service Excellence Goal
 - b. 5.4 Drive organizational success through innovation, a skilled workforce and modernized services.

6. Conclusion

- 6.1 It is recommended that the Regional Municipality of Durham standardize and sole source the workstation booking application with OfficeSpace Software Inc. for a period of up to five years at an annual cost of \$80,000*.
- 6.2 This report has been reviewed by the Finance Department.
- 6.3 For additional information, contact: Jenni Demanuele, Director, Business Services at 905-668-7711 extension 3456.

Respectfully submitted,

Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer

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



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2021-W-9
Date: February 2, 2021

Subject:

Approval of Capital Works and Financing to be Incorporated into a Servicing Agreement with CSPAC Industrial Garrard GP, Inc., Including Cost Sharing in accordance with the Region Share Policy, for the Extension and Oversizing of a Sanitary Sewer and construction of a Local Watermain under the Region’s Well Interference Policy, in the Town of Whitby

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That capital works and financing estimated at \$3,157,600 for the Region’s share of the extension and oversizing of a sanitary sewer and construction of a watermain, in the Town of Whitby, at an estimated total project cost of \$6,669,000 be approved;
- B) That the Regional Municipality of Durham be authorized to enter into a Servicing Agreement with a Region Share payment to CSPAC Industrial Garrard GP, Inc. estimated at \$3,157,600 for the extension and oversizing of a sanitary sewer and construction of a local watermain, in the Town of Whitby, at an estimated total project cost of \$6,669,000;
- C) That financing for the servicing agreement be provided from the following sources:

Developer’s Share – Sanitary Sewer

CSPAC Industrial Garrard GP, Inc.	<u>\$3,511,400</u>
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Total Developer’s Share	<u>\$3,511,400</u>
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Regional Share – Sanitary Sewer

2022 Sanitary Sewerage System Capital Budget

Item 122: Expansion of the Conlin Rd. Sanitary Sewage Pumping Station and twinning of the forcemain, in the City of Oshawa

Residential Development Charges (Project ID: D1825)	\$1,106,400
Commercial Development Charges (Project ID: D1825)	69,000
User Rate (Project ID: D1825)	<u>323,800</u>

Total Regional Share – Sanitary Sewer **\$1,499,200**

Total Project Estimate Sanitary Sewer **\$5,010,600**

Regional Costs – Watermain

2022 Water Supply System Capital Budget

Item 315: Well interference

Residential Development Charges (Project ID: M2214)	\$1,000,000
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Additional Water Supply Financing

2022 Water Supply System Capital Budget

Item 303: Allowance for Regional share for works in conjunction with non-residential development

Residential Development Charges (Project ID: M2214)	\$350,400
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Item 304: Allowance for Regional share for works in conjunction with residential development

Residential Development Charges (Project ID: M2210)	<u>\$308,000</u>
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Total Regional Cost – Watermain **\$1,658,400**

Total Regional Share **\$3,157,600**

Total Project Financing **\$6,669,000**

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval for capital work and financing including cost sharing in accordance with the Regional Municipality of Durham's (Region) Share Policy, related to the construction of a proposed sanitary sewer

and funding for construction of a watermain in accordance with the Region's Well Interference Policy, in the Town of Whitby (Attachment #1).

2. Background

- 2.1 CSPAC Industrial Garrard GP, Inc. plans to develop their Industrial Site Plan, located on the south west corner of Conlin Road and Garrard Road (Attachment #1). In order to develop their land, the construction of the subject sanitary sewer from the existing sewer, north of Birchpark Drive along Garrard Road to the south limit of the subject site is required. CSPAC Industrial Garrard GP, Inc. has requested permission to construct the project through a servicing agreement with the Region and to cost share with the Region in accordance with the Region's Share Policy (Attachment #2).
- 2.2 The Region has requested that CSPAC Industrial Garrard GP, Inc. construct a watermain from north of 4350 Garrard Road to 4655 Garrard Road under the Region's Well Interference Policy to account for expected well impacts to adjacent residential properties due to the depth of construction of the proposed sanitary sewer. This watermain will be constructed fully at the Region's expense in keeping with the Well Interference Policy.
- 2.3 The Region's Share Policy generally requires the developer to pay for the works required to service the subject development, with the Region responsible for the balance of the cost. In this case, CSPAC Industrial Garrard GP, Inc. would be responsible to pay for the cost to construct a 200 mm diameter sanitary sewer, and the Region would be required to pay the cost of oversizing these pipes to a 300 mm diameter sanitary sewer and pay fifty percent of the cost to construct a 200mm diameter sanitary sewer abutting the southern frontage of the site.
- 2.4 Regional staff do not have standing authority to approve cost sharing in servicing agreements. As this is a servicing agreement, Regional Council approval is required for the Region Share payments.
- 2.5 All other requirements of the Regional servicing agreement will be in place, including the posting of a letter of credit for 100 per cent of the cost of the works, Regional inspection requirements and the two-year infrastructure maintenance period.

3. Previous Reports and Decisions

- 3.1 There are no previous reports/decisions are related to this report.

4. Financing

- 4.1 Financing of \$6,669,000, including the Developer's share of \$3,511,400 and the Region's share of \$3,157,600 for the oversizing costs and the construction of the watermain can be provided as follows:

Developer's Share – Sanitary Sewer

CSPAC Industrial Garrard GP, Inc.	<u>\$3,511,400</u>
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Total Developer's Share	<u>\$3,511,400</u>
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Regional Share – Sanitary Sewer

2022 Sanitary Sewerage System Capital Budget

Item 122: Expansion of the Conlin Rd. Sanitary Sewage Pumping Station and twinning of the forcemain, in the City of Oshawa

Residential Development Charges (Project ID: D1825)	\$1,106,400
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Commercial Development Charges (Project ID: D1825)	69,000
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User Rate (Project ID: D1825)	<u>323,800</u>
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Total Regional Share – Sanitary Sewer	<u>\$1,499,200</u>
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Total Project Estimate Sanitary Sewer	<u>\$5,010,600</u>
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Regional Costs – Watermain

2022 Water Supply System Capital Budget

Item 315: Well interference

Residential Development Charges (Project ID: M2214)	\$1,000,000
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Additional Water Supply Financing

2022 Water Supply System Capital Budget

Item 303: Allowance for Regional share for works in conjunction with non-residential development

Residential Development Charges (Project ID: M2214)	\$350,400
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Item 304: Allowance for Regional share for works in conjunction with residential development

Residential Development Charges (Project ID: M2210)	<u>\$308,000</u>
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Total Regional Cost – Watermain	<u>\$1,658,400</u>
--	---------------------------

Total Regional Share **\$3,157,600**

Total Project Financing **\$6,669,000**

4.2 As part of the 2022 Water Supply Capital Budget, \$1,000,000 has been allocated to address Well Interference claims connected to development work. As the total estimated cost of the watermain installation exceeds this amount, additional financing is required as identified above to complete these works.

5. Relationship to Strategic Plan

5.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:

- a. Goal 5 Service Excellence – to provide exceptional value to Durham taxpayers through responsive, effective and fiscally sustainable services delivery.
- b. Priority 5.1 – Optimize resources and partnerships to deliver exceptional quality services and value.

6. Conclusion

6.1 It is recommended that Regional Council enter into a servicing agreement with CSPAC Industrial Garrard GP, Inc. containing the foregoing provisions and that the capital works be approved as identified in the report.

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

6.3 For additional information, contact: Charlotte Pattee, Development Approvals Engineer, at 905-668-7711, extension 3435.

7. Attachments

Attachment #1: Location Plan

Attachment #2: CSPAC Industrial Garrard GP, Inc. Request for Servicing Agreement Letter

Respectfully submitted,

Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

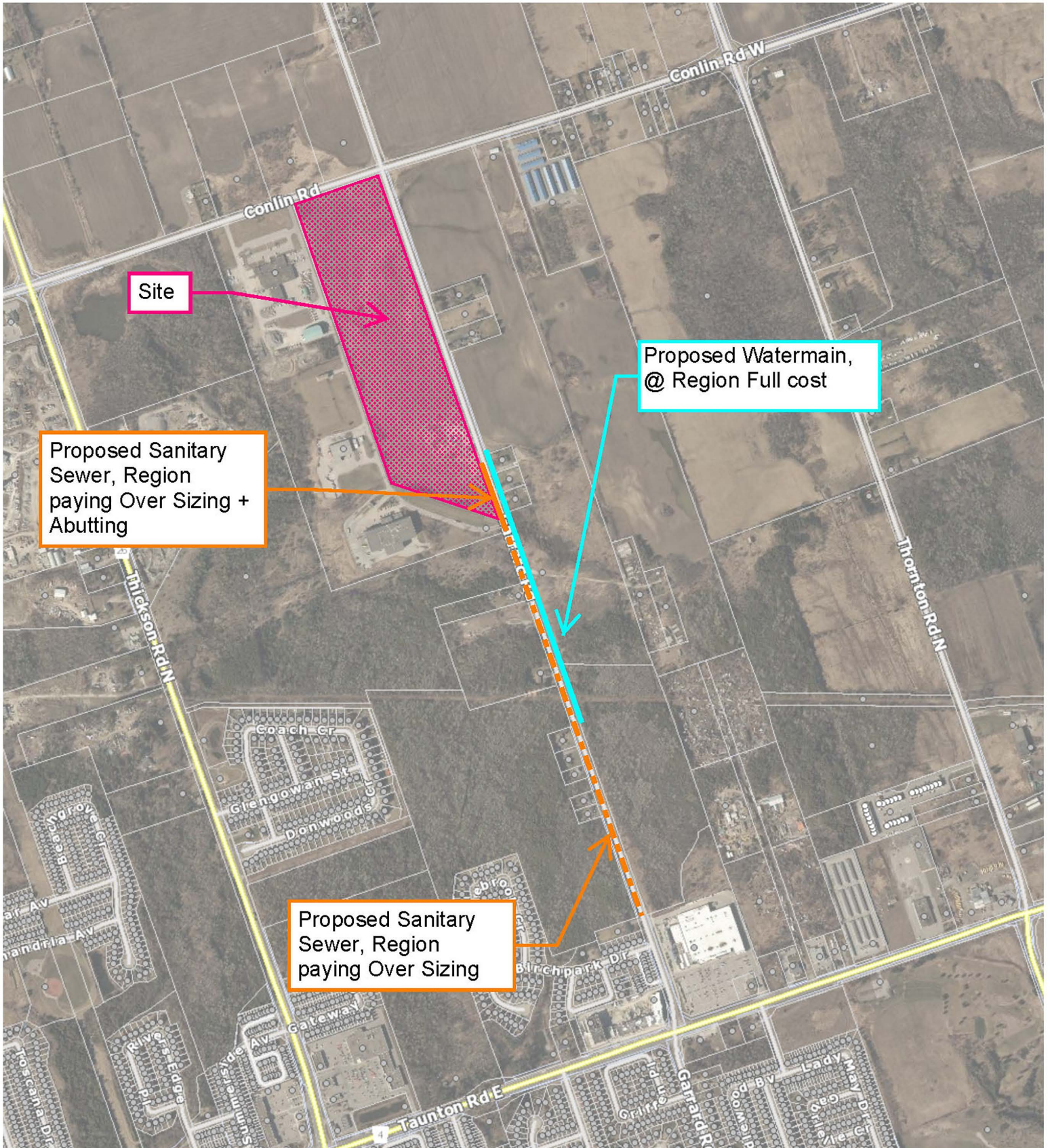
Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer

ATTACHMENT #1

Location & Key Plan



CSPAC INDUSTRIAL GARRARD GP, INC.

November 9th, 2021

THE REGION OF DURHAM**TO WHOM IT MAY CONCERN:**

RE: PROPOSED SERVICING FOR 4680 GARRARD ROAD, WHITBY

This letter is to confirm that CSPAC Industrial Garrard L.P., by its general partner, CSPAC Industrial Garrard GP, Inc. (collectively, the "Owner") intends to enter into an agreement with the Region of Durham (the "Region") for the servicing of the property located at 4680 Garrard Road, Whitby (the "Property"), as part of its two building development proposal.

The scope of work in the Garrard Road right-of-way to be included in an agreement with the Region of Durham is as follows: The construction of 1,080m of sanitary sewer, including maintenance holes, service connection and appurtenances, extending north from existing sanitary maintenance hole L-24-00132 to proposed maintenance hole 101A and the construction of 625m of 300mm watermain, including hydrants, ditch access, service connections, valves and appurtenances. Additional scope of work includes the restoration of Garrard Road and ditches and erosion control measures.

It is important to note that during the course of the Site Plan Approval process for the proposed development, the Region identified the need for an extension of the watermain along Garrard Road to service lands other than the Owner's. This watermain extension will not serve the Property, but in cooperation with the Region, the Owner has proceeded to have this designed and is willing to facilitate the construction of the watermain at the same time as the Owner is extending the sanitary line.

Given the proposed cost sharing for the sanitary extension, as well as the cost of the watermain being 100% the responsibility of the Region, the standard servicing agreement attached to By-law 36-2018 appears to be insufficient in capturing all of the requirements of this project. We expect a modified version will be required and we look forward to working through that agreement with the Region and towards a successful project for Durham, and the Town of Whitby.

Kind Regards

CSPAC Industrial Garrard L.P., by its general partner, CSPAC Industrial Garrard GP, Inc.

Wade Dobbin
Authorized Signing Officer

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



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2022-W-10
Date: February 2, 2022

Subject:

Status Update on the Request from Hamilton Oshawa Port Authority for the Assumption of Ownership of Farewell Street (Regional Road 56) South of Harbour Road, City of Oshawa

Recommendations:

That Works Committee recommends to Regional Council:

- A) That Regional staff complete the due diligence and all steps necessary to facilitate the Hamilton Oshawa Port Authority's assumption of ownership of Farewell Street (Regional Road 56) south of Harbour Road in the City of Oshawa, and report back with a recommendation;
- B) That such transfer of ownership to the Hamilton Oshawa Port Authority be conditional on acceptance from the landowner of 1221 Farewell Street and 1241 Farewell Street, currently McAsphalt Industries Limited, in the City of Oshawa;
- C) That the City of Oshawa Correspondence File: F-3041-0028, dated October 4, 2021 (Attachment #1) be received for information;
- D) That a copy of this report be provided to the City of Oshawa for information; and
- E) That a copy of this report be provided to the Hamilton Oshawa Port Authority for information.

Report:**1. Purpose**

- 1.1 In June 2021, Works Committee Report #2021-W-27 (Attachment #1) advised of a request from the Hamilton Oshawa Port Authority (HOPA) for a transfer of ownership of Farewell Street (Regional Road 56) south of Harbour Road (“subject segment”), in the City of Oshawa (Oshawa). The request was primarily driven by HOPA’s desire to reconfigure the main entrance and allow truck staging on their access to the port lands.
- 1.2 The purpose of this report is to provide a status update and next steps for the potential transfer of ownership for the subject segment to HOPA.

2. Background

- 2.1 The Region’s 2021 Capital Budget and Nine-Year Forecast includes the proposed rehabilitation/reconstruction of Farewell Street from its southerly limit to Bloor Street, including the subject segment of interest to HOPA. Detail design for this project is currently underway, with the scope of work for the subject segment proposed to be a reconstructed rural two-lane road cross-section with 3 metre (m) shoulders. Subject to budget approval, this project is anticipated to be tendered late this year.
- 2.2 During the course of the detail design and stakeholder engagement in late 2020, HOPA approached Regional staff and expressed a desire for the Region to provide for a wider cross-section on the subject segment that would in essence allow for inbound truck staging on the entrance to the port lands and at the same time maintain a dedicated lane each for northbound and southbound through traffic. Regional staff made it clear that the scope of the planned capital works on the road was limited to reconstruction of the existing cross-section and does not contemplate any road widening.
- 2.3 After multiple communications, the Region received a formal correspondence from HOPA in April 2021 requesting the transfer of ownership for the subject segment to the Authority with a view to “allow for timely and strategic improvements to the main entrance to the port lands” and to “improve fluidity and safety within the port district”. The request acknowledges and commits to ensuring that all existing accesses for businesses adjoining the subject segment will remain open.

- 2.4 Staff prepared Works Committee Report #2021-W-27 in response to HOPA's letter but have not completed the due diligence requirements due to the outstanding acceptance of the assumption from the owner of 1221 and 1241 Farewell Street, currently McAsphalt Industries Limited. HOPA agreed to provide this acceptance as a prerequisite to the transfer.

3. Preliminary Review

- 3.1 Oshawa responded to the Region's Works Committee Report #2021-W-27 with Correspondence File: F-3041-0028, dated October 4, 2021 (Attachment #1) which stated that "City staff are generally supportive of the proposal at a high level since Farewell Street in this location is classified as a local road and functions primarily as a private driveway, subject to the following comments:

- Further information and clarification from the Region of Durham is requested in order to confirm that there are no financial implications to the City as a result of the HOPA's request to assume ownership of Farewell Street, south of Harbour Road.
- The City reserves the right to request an easement for any existing City infrastructure if it is discovered that there are existing City infrastructure located within the limits of those lands to be transferred to HOPA.
- Since the exact limits of the land to be transferred to HOPA are not made clear at this time, City staff request the opportunity to review any draft surveys or reference plans prior to the transfer of ownership, in order to confirm if any easements in favour of the City are required.
- City staff will continue to review and provide input into the Region's proposed rehabilitation and reconstruction of Farewell Street which is anticipated to be constructed in 2022, including requesting the Region to make the delivery of this capital project a top priority item.
- The Region needs to ensure that an easement is conveyed to McAsphalt to provide access to the McAsphalt site south of Harbour Road.
- In the event that HOPA obtains ownership of Farewell Street, south of Harbour Road, HOPA will be required to make corresponding amendments to their Land Use Plan.

- HOPA will need to work with Oshawa Fire Services to ensure access to the Port and the McAsphalt site is appropriately provided and maintained in the event of an emergency.”
- 3.2 There are multiple short-term and long-term land use, legal and financial considerations that need to be thoroughly reviewed to assess HOPA’s request.
- 3.3 The preliminary review points to the following key considerations:
- HOPA is not covered under the Ontario Municipal Act, 2001, therefore the subject segment would become a private driveway.
 - It is imperative that the two adjacent private property parcels, 1221 and 1241 Farewell Street, maintain free and unencumbered year-round access to Farewell Street. The north parcel, 1221 Farewell Street, accesses Farewell Street via an unopened road allowance owned by Oshawa which connects to the Farewell Street and Harbour Road intersection. The south parcel, 1241 Farewell Street, has direct access to the subject segment.
 - Adjacent private property owner(s) need to confirm acceptance of the potential transfer and assumption of the subject segment by HOPA.
 - Access agreement(s), maintenance agreement(s) and easement(s) on title, including access for municipal services, existing utilities /services (e.g. Bell, Enbridge Gas, OPUC, Oshawa, Region) for maintenance and repairs.
 - Emergency services access.
 - Legal requirements and liabilities including HOPA to assume any liability on existing ground conditions, etc.
 - Applicable Planning documents, Land Use Plans and Regional by-laws to be amended.
 - Financial considerations associated with the transfer/sale of a Regional asset to a private entity.
 - Any other considerations required for the potential transfer.
- 3.4 Given the Region’s planned project tendering for the reconstruction of Farewell Street, including the subject segment, it is imperative that a recommendation and

decision on this matter be finalized by the Fall of 2022. Therefore, swift resolutions and responses by HOPA will be crucial in this regard.

4. Financial Implications

- 4.1 The transfer of ownership of the subject segment to HOPA would require the Authority to integrate all the capital, asset management, maintenance (including winter maintenance) and operating cost obligations that accrue from this assumption into their business planning processes.
- 4.2 Oshawa has requested confirmation that there would be no financial implications to the City as a result of the transfer.

5. Conclusion

- 5.1 It is recommended that Regional staff continue to complete the due diligence and take all steps necessary to facilitate the Hamilton Oshawa Port Authority's request to assume ownership of Farewell Street (Regional Road 56) south of Harbour Road in the City of Oshawa, subject to acceptance from the owner of 1221 and 1241 Farewell Street, currently McAsphalt Industries Limited.
- 5.2 Regional staff will report back with a recommendation by the Fall of 2022.
- 5.3 This report has been reviewed by Legal Services - Corporate Services Department.
- 5.4 For additional information, please contact Janet Mosher, Project Manager, at 905-668-4113, extension 3336.

6. Attachments

Attachment #1: City of Oshawa Correspondence (File: F-3041-0028) dated October 4, 2021, with a copy of Works Committee Report #2021-W-27)

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



October 4, 2021

File: F-3041-0028

Susan Siopis, Commissioner of Works
Regional Municipality of Durham

Via email: works@durham.ca

Re: Request from Durham Region for City Comments on Report #2021-W-27 of the Commissioner of Works concerning Farewell Street south of Harbour Road

This letter is in response to the Region of Durham's Report #2021-W-27 concerning a request from the Hamilton-Oshawa Port Authority for the assumption of ownership of Farewell Street (Regional Road 56) south of Harbour Road in the City of Oshawa.

On September 27, 2021, Council considered Item DS-21-154 (formerly Item PORT-21-04) and adopted the following recommendation:

1. That Item PORT-21-04 be endorsed as the City's comments concerning the Region of Durham's Report #2021-W-27 of the Commissioner of Works regarding Farewell Street south of Harbour Road, and that a copy of PORT-21-04 be forwarded to the Region of Durham and H.O.P.A. for their consideration; and,
2. That the Region be requested to approve the reconstruction of Farewell Street from Harbour Road to Bloor Street in the 2022 Capital Budget."

A copy of Item PORT-21-04 is attached for your reference.

If you require further information or clarification, please contact Victoria White at the address shown or by telephone at (905) 436-3311, extension 2945 or by email to vwhite@oshawa.ca.

Warren Munro, HBA, RPP, Commissioner
Development Services

VW/c

Attachment

c. Larissa Fenn, Hamilton Oshawa Port Authority

Item: PORT-21-04

Port of Oshawa Working Group – September 9, 2021

Request from Durham Region for City Comments on Report #2021-W-27 of the Commissioner of Works concerning Farewell Street south of Harbour Road

(File: F-3041-0028)

That the Port of Oshawa Working Group recommend to the Development Services Committee:

Whereas, on June 23, 2021, Regional Council considered Report #2021-W-27 concerning a request from the Hamilton Oshawa Port Authority (H.O.P.A.) for the assumption of ownership of Farewell Street (Regional Road 56), south of Harbour Road, and adopted the following recommendation:

- “A) That Regional staff be authorized to examine the request from HOPA for the assumption of ownership of Farewell Street (Regional Road 56) south of Harbour Road in the City of Oshawa, and report back with a recommendation and/or next steps’;
- B) That the examination of this request be based on due diligence consideration of the land use, legal and financial impacts associated with the transaction;
- C) That a copy of Report #2021-W-27 of the Commissioner of Works be circulated to the City of Oshawa with a request for comments by September 30, 2021; and
- D) That a copy of Report #2021-W-27 of the Commissioner of Works be provided to the HOPA for information”; and,

Whereas, in accordance with Report #2021-W-27 of the Commissioner of Works, H.O.P.A. requested the transfer of ownership for the subject segment with a view to “allow for timely and strategic improvements to the main entrance to the port lands” and to “improve fluidity and safety within the port district”; and,

Whereas, H.O.P.A.’s request also acknowledges and commits to ensuring that all existing accesses for businesses adjoining the subject segment will remain open; and,

Whereas, City staff and Regional staff have been working on detailed design of the Farewell Street reconstruction from Harbour Road to Bloor Street; and,

Whereas, Report #2021-W-27 of the Commissioner of Works (see Attachment 1) was circulated to various City staff from Community Services and Development Services Departments for review, and City staff are generally supportive of the proposal at a high

level since Farewell Street in this location is classified as a local road and functions primarily as a private driveway subject to the following comments:

- Further information and clarification from the Region of Durham is requested in order to confirm that there are no financial implications to the City as a result of the H.O.P.A.'s request to assume ownership of Farewell Street, south of Harbour Road.
- The City reserves the right to request an easement for any existing City infrastructure if it is discovered that there are existing City infrastructure located within the limits of those lands to be transferred to H.O.P.A.
- Since the exact limits of the land to be transferred to H.O.P.A. is not made clear at this time, City staff request the opportunity to review any draft surveys or reference plans prior to the transfer of ownership in order to confirm if any easements in favour of the City are required.
- City staff will continue to review and provide input into the Region's proposed rehabilitation and reconstruction of Farewell Street which is anticipated to be constructed in 2022, including requesting the Region to make the delivery of this capital project a top priority item.
- The Region needs to ensure that an easement is conveyed to McAsphalt to provide access to the McAsphalt site south of Harbour Road.
- In the event that H.O.P.A. obtains ownership of Farewell Street, south of Harbour Road, H.O.P.A. will be required to make corresponding amendments to their Land Use Plan.
- H.O.P.A. will need to work with Oshawa Fire Services to ensure access to the Port and the McAsphalt site is appropriately provided and maintained in the event of an emergency.

Therefore be it resolved:

1. That Item PORT-21-04 be endorsed as the City's comments concerning the Region of Durham's Report #2021-W-27 of the Commissioner of Works regarding Farewell Street south of Harbour Road, and that a copy of PORT-21-04 be forwarded to the Region of Durham and H.O.P.A. for their consideration; and,
2. That the Region be requested to approve the reconstruction of Farewell Street from Harbour Road to Bloor Street in the 2022 Capital Budget.

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



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2021-W-27
Date: June 2, 2021

Subject:

Request from Hamilton Oshawa Port Authority for the Assumption of Ownership of Farewell Street (Regional Road 56) south of Harbour Road, City of Oshawa

Recommendations:

That Works Committee recommends to Regional Council:

- A) That Regional staff be authorized to examine the request from Hamilton Oshawa Port Authority for the assumption of ownership of Farewell Street (Regional Road 56) south of Harbour Road in the City of Oshawa, and report back with a recommendation and/or next steps;
 - B) That the examination of this request be based on due diligence consideration of the land use, legal and financial impacts associated with the transaction;
 - C) That a copy of this report be circulated to the City of Oshawa with a request for comments by September 30, 2021; and
 - D) That a copy of this report be provided to the Hamilton Oshawa Port Authority for information.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to advise Regional Council of a request (Attachment #1) from the Hamilton Oshawa Port Authority (HOPA) for their assumption of ownership of Farewell Street (Regional Road 56) south of Harbour Road (“subject

segment”), in the City of Oshawa (Oshawa). As described in the letter in Attachment #1, the request is primarily driven by HOPA’s interest to reconfigure the main entrance and allow truck staging on their access to the port lands.

2. Background

- 2.1 The Regional Municipality of Durham’s (Region) 2021 Capital Budget and Nine-Year Forecast includes a proposed rehabilitation/reconstruction of Farewell Street from its southerly limit to Bloor Street, including the subject segment of interest to HOPA. Detail design for this project is currently under way, with the scope of work for the subject segment proposed to be a reconstructed rural two-lane road cross-section with 3.0 metre (m) shoulders. Subject to budget approval, this project is currently anticipated to go for construction in 2022.
- 2.2 During the course of detail design and stakeholder engagement, in late 2020, HOPA approached Regional staff indicating a desire for the Region to provide for a wider cross-section on the subject segment that would in essence allow for inbound truck staging on the entrance to the port lands and at the same time maintain a dedicated lane each for northbound and southbound through traffic. Regional staff made it clear that the scope of planned capital works on the road was limited to reconstruction of the existing cross-section and does not contemplate any road widening.
- 2.3 After multiple email exchanges, in April 2021, the Region received a formal correspondence (Attachment #1) from HOPA requesting the transfer of ownership for the subject segment to the Authority with a view to “allow for timely and strategic improvements to the main entrance to the port lands” and to “improve fluidity and safety within the port district”. The correspondence provides a potential conceptual plan for the subject segment outlining one changes to the roadway that HOPA would implement upon completion of the requested transfer. The request acknowledges and commits to ensuring that all existing accesses for businesses adjoining the subject segment will remain open. It should be noted that the property lines shown in the concept plan provided by HOPA is merely schematic for illustration purposes and requires further verification to match property records.

3. Preliminary Review

- 3.1 There are multiple short-term and long-term land use, legal and financial considerations that need to be examined thoroughly to assess HOPA’s request. The necessary due diligence would require engagement of multiple internal and

external stakeholders including, but not limited to: Regional Divisions (Works, Planning and Economic Development, Legal Services, Finance), the City of Oshawa, adjacent property owners, utility agencies, emergency services and the Conservation Authority.

3.2 A preliminary review points to the following as key considerations:

- existing and future accesses to adjacent properties/parcels
- existing utilities and services (i.e. Bell, Enbridge Gas, OPUC)
- future utility and servicing needs and delivery mechanisms
- easement requirements
- land uses
- maintenance requirements
- legal requirements and liabilities
- financial considerations associated with transfer of a Regional asset to a private entity

3.3 Our initial discussion with Oshawa staff indicates their support for HOPA's request at a high level, subject to a further review of HOPA's planned land uses on their property and related implications.

3.4 Given the Region's planned project in 2022 for the reconstruction of Farewell Street (including the subject segment), it is imperative that a recommendation and decision on this matter be finalized latest by early 2022.

4. Conclusion

4.1 Regional staff have undertaken a preliminary review of Hamilton Oshawa Port Authority's request for the transfer of the subject segment of Farewell Street and identified a number of considerations that need to be examined to formulate a response. It is recommended that staff be authorized to complete the necessary due diligence in consultation and collaboration with Hamilton Oshawa Port Authority and other impacted stakeholders, including the City of Oshawa. Regional staff will report back in early 2022 with a recommendation and/or next steps.

- 4.2 As input to the Regional Municipality of Durhams's due diligence analysis, it is recommended that a copy of this report be circulated to the City of Oshawa for comments by September 30, 2021.
- 4.3 This report has been reviewed by Legal Services - Corporate Services Department.
- 4.4 For additional information, please contact Janet Mosher, Project Manager, at 905-668-4113, extension 3336.

5. Attachments

Attachment #1: Correspondence dated April 14, 2021 from Hamilton Oshawa Port Authority (HOPA) to Janet Mosher, Project Manager, Works Department, Regional Municipality of Durham

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



HAMILTON
OSHAWA
PORT
AUTHORITY

Via Email: janet.mosher@durham.ca

Janet Mosher, M. Eng., P. Eng.
The Regional Municipality of Durham
Works Department – Transportation Infrastructure
605 Rossland Rd. E., Level 5
Whitby, ON L1N 6A3

APRIL 14, 2021

Dear Ms. Mosher,

This letter is to confirm that Hamilton Oshawa Port Authority (HOPA) is supportive of a property transfer from the Region of Durham to HOPA for the portion of Farewell Street south of Harbour Road in Oshawa. We believe that this transfer would allow for timely and strategic improvements to the main entrance to the port lands, and will improve fluidity and safety within the port district.

Please refer to the attached conceptual plan for HOPA's use of the roadway. This represents one possible change to the roadway, and would allow for some truck staging as well as through traffic both northbound and southbound.

Furthermore, HOPA is committed to ensuring all existing accesses for businesses adjoining this part of Farewell Street remain open.

If you have any questions, please do not hesitate to email me at bfitzgerald@hopaports.ca or call me at 905-525-4338.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Fitzgerald".

Bill Fitzgerald, P. Eng.
Vice President Operations





HOPA
HAMILTON
OSHAWA
PORT
AUTHORITY



TITLE PORT OF OSHAWA -
PROPOSED TRUCK CUEING CONCEPT
SCALE 1:2000

DATE September 2020
DRAWN BY J.L.

REVISION No. 0
LOCATION Engineering/CR/19/1002/Port Of Oshawa/BUR/ACE
TRANSPORTATION/Part 01 Oshawa - Truck Cueing

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



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2022-W-11
Date: February 2, 2022

Subject:

Approval of Capital Works to be Incorporated into a Servicing Agreement with Seaton TFPM Inc. for the Construction of local water and sanitary sewer services and a Seaton Area Specific Development Charge Watermain to be Included in a Future Front Ending Agreement with the Seaton Landowners Group, in the City of Pickering

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That the Regional Municipality of Durham be authorized to enter into a servicing agreement with Seaton TFPM Inc. for the construction of local water and sanitary sewer services and a Seaton Area Specific Development Charge watermain project, including a commitment to providing Development Charge Credits (\$630,100) in a future front ending agreement with the Seaton Landowner's Group, with an estimated total project cost of \$11,317,900;
- B) That financing for the capital works, estimated at \$11,317,900, be provided from the following sources:

Local Water and Sanitary Sewer Services

	Developer's Share
– Sanitary Sewer	
Seaton TFPM Inc	<u>\$9,006,000</u>
Total Developer's Sanitary Sewer Share	<u>\$9,006,000</u>
Developer's Share – Water Supply	
Seaton TFPM Inc	<u>\$902,100</u>

Total Developer's Water Supply Share	<u>\$902,100</u>
Total Developer's Share – Local Services	<u>\$9,908,100</u>
Seaton Area Specific Development Charge Project	
Water Supply – Phase 2 Watermain Project	
Developer Share	\$630,100
Water User Revenue	<u>779,700</u>
Total Region Water Supply Share	<u>\$1,409,800</u>
Total Project Financing	<u>\$11,317,900</u>

- C) That the Regional Municipality of Durham provide the water user revenue portion (\$779,700) upon completion of the watermain by Seaton TFPM Inc. and these costs be funded at the discretion of the Commissioner of Finance and be included in future development charges studies to allow the Regional Municipality of Durham to recover the appropriate amounts as allowed under the Development Charges Act; and
- D) That the portion of the watermain costs (\$630,100) upfronted by Seaton TFPM Inc. be subject to receiving Seaton Area Specific Development Charge credits in a future Front-ending Agreement with the Seaton Landowners Group.

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval to enter into a servicing agreement with Seaton TFPM Inc. (TFPM) for capital work and financing, including works to be addressed through a future front ending agreement with the Seaton Landowners Group, related to the construction of Regional services in the City of Pickering (Attachment #1).

2. Background

- 2.1 In 2012, the Regional Municipality of Durham (Region) and the Seaton Landowners Group signed a memorandum of understanding (MOU) which addressed how, when, and who would finance, the Regional water, sanitary sewer and road infrastructure works required for the development of the Central Pickering Development Plan. The MOU included both the geographic extent of Phase 1 of the development as well as the Seaton Area Specific Development

Charge (ASDC) projects which were to be included in the Phase 1 Regional Front Ending Agreement (RFEA).

- 2.2 An ASDC watermain is required on Concession 5 between Brock Road and Westney Road. The MOU and the Phase 1 RFEA show this watermain as a Phase 2 project, however, a portion of this watermain (from Brock Road to Sideline 16) is required as the second feed to the Phase 1 lands located at Sideline 16, north and south of Concession 5 (Attachment #1).
- 2.3 This portion of the Phase 2 watermain is also required to provide a second feed to the new paramedic station currently under construction in Seaton. TFPM is designing and plans to reconstruct Concession 5 from Brock Road to Sideline 16, including the construction of a local watermain and a local sanitary sewer. Constructing this portion of the Phase 2 watermain concurrently with the local water and sewer services and the reconstruction of Concession 5 will avoid reconstructing this road in the future.
- 2.4 TFPM is responsible for 100 per cent of the cost of the local watermain and the local sanitary sewer. TFPM has also offered to fund the construction costs of the ASDC watermain from Brock Road to Sideline 16 (\$1,409,800), subject to offsetting Seaton ASDC credits for their share of the works being addressed in a future Phase 2 Regional Front Ending agreement (i.e., \$630,100). Negotiations for this Phase 2 agreement have already commenced. TFPM understands and accepts that the Region cannot offer any commitment as to when a Phase 2 Front Ending agreement may be in place, and that the risk related to this uncertain timing rests with the developer.
- 2.5 All other requirements of a Regional servicing agreement will be in place, including the posting of a letter of credit for 100 per cent of the cost of the works, Regional inspection requirements, and the two-year infrastructure maintenance period.

3. Previous Reports and Decisions

- 3.1 Report #2014-J-19 - Proposed Regional Front-Ending Agreement and Related Agreements for the Development of the Seaton Community, in the City of Pickering authorized staff to execute the Seaton Front-Ending Agreement with the Province of Ontario and Seaton Private Landowners, subject to specified conditions.

4. Financing

4.1 The financing of \$11,317,900, can be provided as shown below. All amounts are estimates and include engineering, contingencies, and applicable taxes. Final financial obligations will be based on actual costs incurred.

4.2 Water and Sewer Local Services

Developer's Share – Sanitary Sewer	
Seaton TFPM Inc	<u>\$9,006,000</u>
Total Developer's Sanitary Sewer Share	<u>\$9,006,000</u>
Developer's Share – Water Supply	
Seaton TFPM Inc	<u>\$902,100</u>
Total Developer's Water Supply Share	<u>\$902,100</u>
Total Developer's Share – local services	<u>\$9,908,100</u>
Seaton Area Specific Development Charge Project	
Water Supply – Phase 2 Watermain Project	
Developer Share ⁽¹⁾	\$630,100
Water User Revenue ⁽²⁾	<u>779,700</u>
Total Region Water Supply Share	<u>\$1,409,800</u>
Total Project Financing	<u>\$11,317,900</u>

Note:

1. Cost of Phase 2 Watermain project being proposed to be upfronted by the Seaton Landowners Group with anticipation of receiving Seaton Area Specific Development Charge credits for their share of the works in a future Front-ending Agreement.

2. User revenue share is required due to oversizing of watermain for areas outside of Seaton and for future development beyond the development charge forecast period (i.e. post period benefit), to be funded at the discretion of the Commissioner of Finance.

4.3 As mentioned previously, the portion of the watermain to be constructed by TFPM is identified as a Phase 2 project in the Seaton Phase 1 Front-ending Agreement and the 2019 Seaton ASDC By-law. In order to facilitate the construction of this portion of the capital item in Phase 1, the following is proposed:

- a. Seaton TFPM upfront the cost of the watermain (\$1,409,800) subject to offsetting Seaton ASDC credits for their share of the works being addressed in a future Phase 2 Regional Front Ending agreement (\$630,100); and

- b. The Region provide funding for the water user revenue portion (\$779,700) upon completion of the watermain by TFPM and these costs funded at the discretion of the Commissioner of Finance and be included in future DC studies to allow the Region to recover the appropriate amounts as allowed under the Development Charges Act.

5. Relationship to Strategic Plan

- 5.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
 - a. Goal 5 Service Excellence – to provide exceptional value to Durham taxpayers through responsive, effective and fiscally sustainable services delivery.
 - Priority 5.1 – Optimize resources and partnerships to deliver exceptional quality services and value.

6. Conclusion

- 6.1 It is recommended that Regional Council grant approval for the Regional Municipality of Durham to enter into a servicing agreement with Seaton TFPM Inc. containing the foregoing provisions and that the capital works be approved as identified in the report.
- 6.2 This report has been reviewed by the Legal Division of the Corporate Services Department and the Finance Department and the Commissioner of Finance concurs with the financial recommendation.
- 6.3 For additional information, contact: Paul Gillespie, Manager Development Approvals, at 905-668-7711, extension 3443.

7. Attachments

Attachment #1: Key Plan

Respectfully submitted,

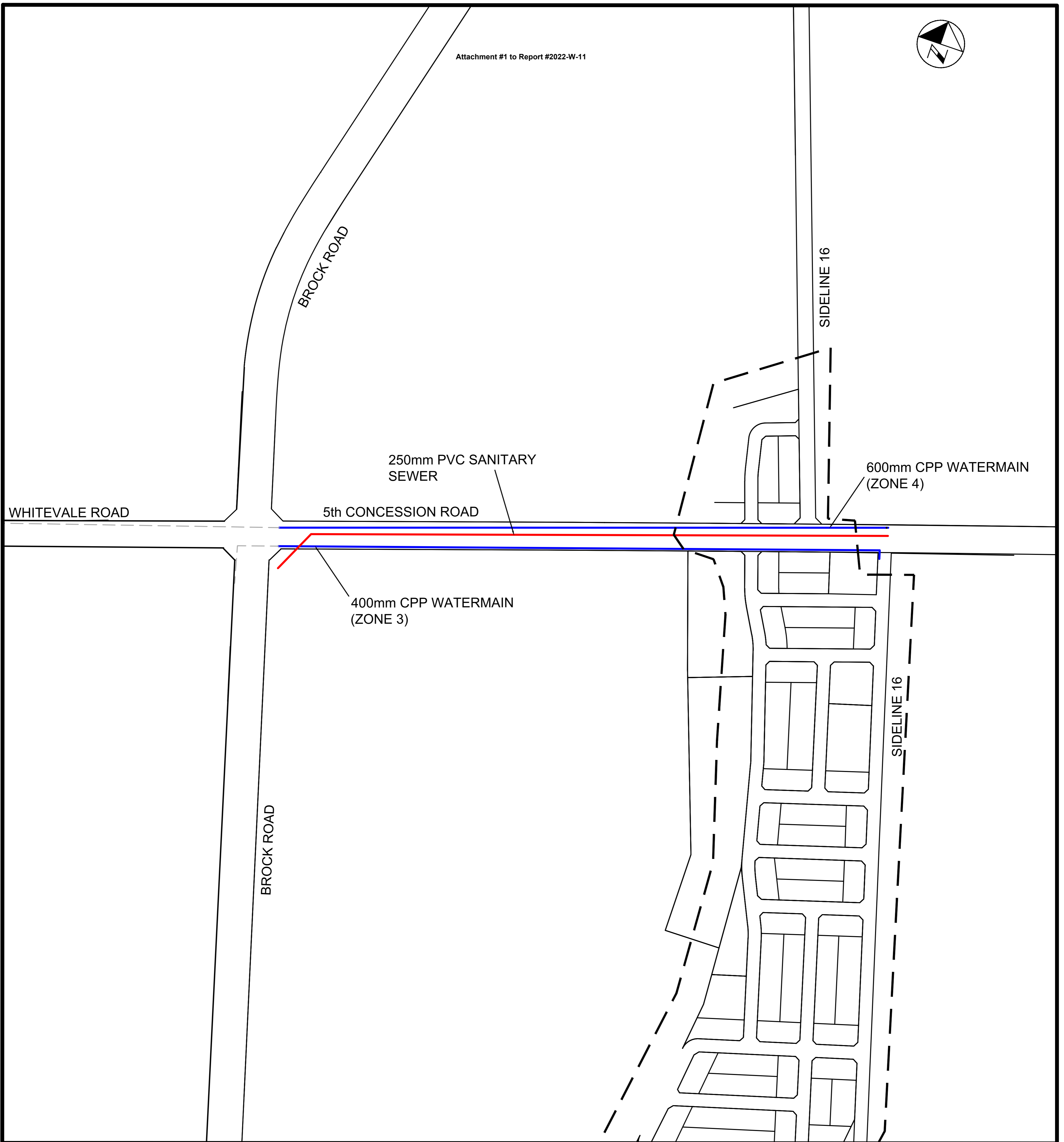
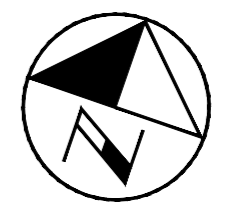
Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



Attachment #1 - Key Plan



This map has been produced from a variety of sources. The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials. The Region disclaims all representation and warranties. © MPAC and all its suppliers. All rights reserved. Not a plan of Survey

SCALE 1:2500

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



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2022-W-12
Date: February 2, 2022

Subject:

Update on Regional Road 18 Pilot Reconstruction Project using Recycled Waste Materials and Approval to Tender and Construct Phase 2

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That the update on Phase 1 of the Regional Road #18 pilot project be received; and
 - B) That the Regional Municipality of Durham Council authorize staff to tender and construct Phase 2 of the Regional Road #18 Pilot Reconstruction Project based on the high-level specifications outlined in this report, with financing previously approved for this initiative as part of the 2019 Federal Gas Tax Funding allocation.
-

Report:

1. Purpose

- 1.1 The purpose of this report to provide an update on the progress of the pilot project initiated to explore the incorporation of alternative recycled waste materials into road construction, and to seek approval for proceeding to construction of Phase 2 of this project based on the high-level specifications outlined in this report.

2. Previous Reports and Decisions

- 2.1 Report #2020-INFO-117 informed Regional Council of the 2019 allocation of \$3.5 million in Federal Gas Tax Funding for the reconstruction of a portion of Regional Road #18 (RR18) in the Municipality of Clarington as a pilot project. This pilot

project is aimed at exploring and assessing the incorporation of alternative waste materials in road construction. The funding program requires completion of the project before the end of 2024.

3. Project Scope

- 3.1 The proposed scope of the pilot project includes reconstruction of the RR18 segment between Concession Road 5 and the bridge south of Kendal (located roughly 1.1 kilometres (km) south of Regional Road 9). The pilot project segment is approximately 3.6 km long and is in very poor condition. This section of road carries relatively low daily traffic volumes. However, the pavement structure needs to be strengthened, making the road segment a good candidate to pilot the use of alternative recycled waste materials.
- 3.2 The pilot project was designed to be completed in two phases. The attached sketch (Attachment #1) shows the limits of the contract segments for these phases, namely Phase 1 (Contract D2021-28) and Phase 2 (Contract D2022-28).
- 3.3 Phase 1 was designed with conventional reconstruction techniques for the northerly section of the pilot road segment. This included standard pulverizing (crushing) and recycling of the existing granular base and existing asphalt road surface, regrading and compacting with the provision of an additional lift of new granular material and two new layers of asphalt. Also included in the scope of work was regrading of the ditches and shouldering with the pulverized material and new granular material as required. Phase 1 construction was completed in early fall of 2021 at a total cost of \$1.5 million including applicable taxes.
- 3.4 Phase 2 proposes reconstruction of the southerly section of the pilot road segment using alternative waste materials. It will also utilize pulverizing but will in addition incorporate recycled glass in the granular base and recycled plastics in the new asphalt. Testing completed over the last year will guide the incorporation of these recycled materials and their quantities.
- 3.5 Splitting the project into two phases as described above will allow for the longer-term monitoring and comparisons of the performance of Phase 1 using conventional road rehabilitation techniques to Phase 2 incorporating recycled waste materials. Both segments will be subject to similar traffic volumes, weather conditions, and other factors that influence the durability of a pavement structure. Based on the outcome of the pilot, the project would seek to develop standards for use of recycled waste materials, including construction inspection and testing guidelines, for potential application to other Regional roads and beyond.

4. Phase 2 Reconstruction – Status Update

- 4.1 The work completed to date on Phase 2 includes preliminary design, testing of alternative recycled waste materials and final design. Tendering and construction is planned for the spring and summer of 2022 subject to Regional Council approval of this report. Financing for completion of the Phase 2 work is available within the previously approved 2019 Federal Gas Tax Funding allocation of \$3.5 million for this pilot initiative.
- 4.2 The conventional pre-design work for Phase 2 has already been completed, including topographic surveys, surveys of existing geotechnical conditions, inventory of existing road and ditch profiles, deficiencies that need to be addressed, drainage patterns, road structure, etc. Field measurements have been undertaken and all preliminary quantities have been calculated for the required tender documents. The type and quantity of recycled waste materials has been confirmed through extensive testing undertaken last summer and fall.
- 4.3 Testing of alternative waste materials was conducted using a combination of internal and external resources and expertise. It should be noted that the use and quantity of the proposed recycled materials in this pilot project were reviewed by the Ministry of the Environment, Conservation and Parks (MECP); however, we were advised there is no formal ministry approval process for the proposal. Ministry staff advised that the Region must be satisfied that the proposed materials meet relevant engineering standards for road construction and that there are no anticipated adverse effects from using these materials.

5. Plastics

- 5.1 Plastics have been used in asphalt binders to help improve crack and deformation resistance and to reduce moisture and frost damage. Professor Simon Hesp, Ph.D., P.Eng. from Queens University, was engaged to provide support in testing of recycled plastics. Dr. Hesp has several decades of experience testing asphalt mixes, improving testing procedures and conducting research for many road authorities and asphalt companies, including the Ministry of Transportation of Ontario, Regions of York, Peel and Durham, Cities of Toronto, Kingston and Timmins as well as Departments of Transportation for several states in the US.
- 5.2 Dr. Hesp documented his research results on 12 local asphalt cements and nearly 100 asphalt mix samples containing various amounts of recycled plastics obtained from the Region's Materials Recycling Facility (MRF) and Southern Ontario recycling operations. Asphalt binders from various local sources were modified

with moderate amounts of recycled high- and low-density polyethylene (HDPE and LDPE), polypropylene (PP) and polystyrene (PS). The recycled plastics were well dispersed at high temperature using a high shear laboratory mixer. Once homogenized, materials were tested in the dynamic shear rheometer (DSR) for their high temperature Superpave (Superior Performing Asphalt Pavements) grades. Unaged materials were also conditioned in the pressure aging vessel for subsequent aged determination of their intermediate and low temperature grades, grade losses, and critical crack tip opening displacements (CTOD), in the DSR, bending beam rheometer (BBR and extended BBR) and double-edged notched tension (DENT) test, respectively.

- 5.3 In general, the high temperature grades for all modified binders increased significantly but were less tolerant of ductile strain. Hence, the addition of recycled plastics to asphalt is expected to provide significant improvements in terms of high temperature rut resistance and overall pavement stability, but care needs to be taken to prevent premature failure through surface cracking.
- 5.4 Asphalt mixes were also modified with 0.3 per cent by weight of polyethylene terephthalate (PET) fibers from recycled plastic bottles from two US sources. Fiber modified asphalt was significantly improved depending on the type and source of PET fiber. The best performance from a ductile failure perspective was obtained with 18 mm PET fibers. Similar fibers had been used by Dr. Hesp in pavement trials on Highway 427 and Highway 655 north of Timmins, Ontario. These test sections had significant improvement in strength, durability, crack resistance as well as an increase in lifecycle approaching two-fold, with benefit/cost ratios improving by two to three folds.
- 5.5 In order to accommodate significant amounts of recycled plastics in the Hot Mix Asphalt (HMA), and at the same time obtain a significant overall performance benefit, it is proposed that the base asphalt binder specification for the trial be adjusted from the regular PG 64-28 grade¹ used on typical Regional projects to a softer PG 58-34 grade. This will facilitate the use of high additive contents without sacrificing the ductile failure properties and still produce rut resistance. Similar recycled material as used in our tests, containing mixed plastics from the Region's MRF, will be ground into pieces small enough to be added to this asphalt mix in varied quantities with recycled fibers, and placed on the Phase 2 RR18 road segment to assess the benefits in our Regional road network.

¹ The standard notation for an asphalt binder specification is PG XX-YY, where XX is the average 7-day maximum pavement design temperature and YY is the minimum pavement design temperature.

- 5.6 To assess the performance of the different plastic materials in both the base and surface lifts of the new asphalt, Phase 2 will be divided into 4 separate test sections of approximately 400m each with the following specifications:

Section	Base composition	Surface composition
1.	0.3% by weight of PET fibers added	0.3% by weight of PET fibers added
2.	0.3% by weight of mixed plastic (from Region's MRF consisting of LDPE, HDPE, PP and PS) added	0.3% by weight of PET fibers added
3.	0.3% of mixed plastic added	No extra additions
4.	0.6% of mixed plastic added	No extra additions

- 5.7 Dr. Hesp will continue to assist the Region during the contract administration stage of Phase 2 and conduct quality assurance testing in addition to independent testing required by the Region's contract to ensure the work is carried out in accordance with the specifications.

6. Glass

- 6.1 Glass recycled at the Region's MRF is another diversion material that was tested for incorporating into the new road base onsite. Testing was undertaken at the Region's Materials Testing Lab. Glass from the MRF was crushed and added to standard granular A.
- 6.2 Sieve and proctor testing revealed that the addition of crushed glass did not have a negative effect on the properties of the granular A. The density dropped 3 per cent, a minimal amount, and in each case continued to meet the requirements of OPSS 1010 Specification. To test the benefit of this material in Phase 2, recycled glass from the MRF will be spread over half of the road profile for the entire length of the Phase 2 road segment on top of the existing asphalt. Then the road pulverizer will crush and blend the glass into a new homogenous road base. The other half of the road profile without the crushed glass will be used to compare the performance of the road bases.

7. Bottom Ash

- 7.1 Bottom ash produced by the Region's Energy-From-Waste (EFW) Facility as an incineration by-product was another waste material considered for incorporation into the granular road base. The Region contracted Wood Environmental to conduct testing on this material. The material had a high moisture absorption rate

that could be detrimental to the road base especially in the spring and fall seasons. Research indicated that a seasoning period of at least six months is necessary to condition the ash for construction purposes. As a result of the testing performed, the raw bottom ash material is considered not suitable for use on this project. Further testing on seasoned ash will be undertaken for future projects.

8. Other Material

- 8.1 In addition, staff will use recycled asphalt in the road base, shoulders and side slopes as appropriate with the use of a road pulverizer as used in Phase 1. The Region has prior experience with and standard specifications for use of this recycled material from past road reconstruction projects.

9. Conclusion

- 9.1 The Regional Municipality of Durham is committed to a Circular Economy and is committed to finding innovative “made in Durham” solutions that support the concept. This pilot project on Regional Road #18 will demonstrate the use of alternative recycled waste materials in road reconstruction.
- 9.2 Phase 1 of this project has been tendered, awarded and constructed successfully, both on time and under budget. Adequate testing on the alternative recycled waste materials for Phase 2 has been successfully completed. The use and quantity of these recycled materials in this road reconstruction project was reviewed by the Ministry of the Environment, Conservation and Parks (MECP) and they did not voice any concerns. All of the preliminary and final design work has been completed and the Phase 2 contract is ready to be tendered and constructed pending Council approval of this report.
- 9.3 For additional information, contact: Dan Waechter, Manager, Construction Management Services, at 905-668-7711, extension 3550.

10. Attachments

Attachment #1: Regional Road 18 – 2021/22 Pilot Project Limits

Respectfully submitted,

Original signed by:

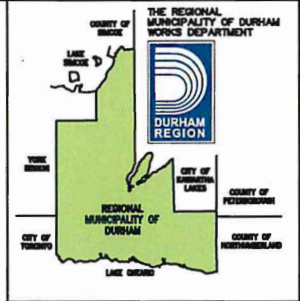
Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

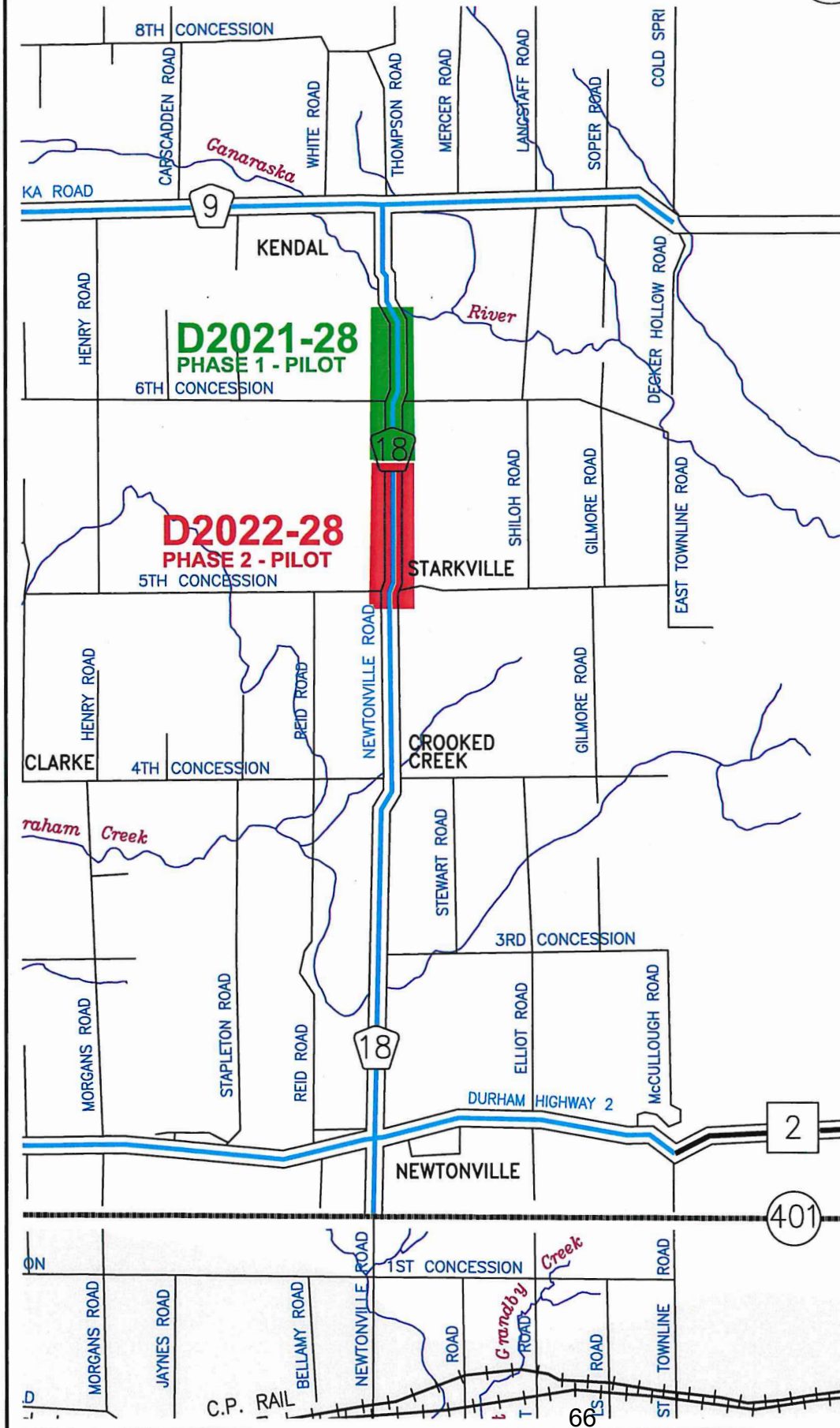
Elaine C. Baxter-Trahair
Chief Administrative Officer

Regional Road 18 2021/2022 Pilot Project Limits



LEGEND

- REGIONAL ROADS
- PROVINCIAL HIGHWAYS
- PROVINCIAL HWY. NO.
- REGIONAL ROAD NO.
- REGIONAL HWY. NO.
- MUNICIPAL ROADS
- CREEKS AND RIVERS



NOT TO SCALE



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2022-W-13
Date: February 2, 2022

Subject:

2022 Works Department Business Plans and Budgets

Recommendation:

That the Works Committee recommends to the Finance and Administration Committee for subsequent recommendation to Regional Council that the 2022 Business Plans and Budgets of the Works Department's General Tax and Solid Waste Management operations be approved.

Report:

1. Purpose

1.1 The purpose of this report is to obtain Works Committee concurrence of the 2022 Business Plans and Budgets for the Works Department's General Tax (including roads, bridges, and other general tax supported programs) and Solid Waste Management programs. The Works Department 2022 Business Plans and Budgets will be referred to the Finance and Administration Committee for consideration during deliberations of the 2022 Property Tax Supported Business Plans and Budgets.

2. Overview

2.1 The recommended 2022 Works Department Business Plans and Budgets meets the Council approved guideline for the 2022 Property Tax Supported Business Plans and Budgets.

2.2 The 2022 Works Department Business Plans and Budget supports the following five goals of the Region's Strategic Plan as well as responds to the ongoing

demands and pressures on the Region's programs and services in response to the COVID-19 pandemic and the Region's continued recovery efforts:

- a. Environmental Sustainability
- b. Community Vitality
- c. Economic Prosperity
- d. Social Investment
- e. Service Excellence

2.3 The recommended 2022 Works Department Business Plans and Budget include:

- a. Works General Tax: gross expenditures to deliver roads, bridges and other general tax programs totalling \$223.6 million in gross expenditures, requiring \$50.9 million in property tax funding with the remaining funded by program fees, development charges, federal gas tax, grant funding and reserves/reserve funds; and,
- b. Solid Waste Management: gross expenditures to deliver solid waste management operating and planning activities totaling \$320.3 million, requiring \$47.4 million in property tax funding with the remaining expenditures funded by program fees, industry funding, reserves and reserve funds, and recovery from the Regional Municipality of York.

2.4 The recommended 2022 Works Department Business Plans and Budget provides operating and capital funding for the following divisions:

- a. Works General Tax
 - i) Maintenance Operations
 - Winter Control
 - Roadside Maintenance
 - Storm Sewers
 - ii) Traffic Operations
 - Signals and Systems

- Signs, Markings and Roadside Protection
 - Engineering and Central Control Systems
- iii) Engineering and Staff Support
 - iv) Facilities Management
 - v) Regional Forest
 - vi) Depot Operations
 - vii) Fleet Operations
 - viii) Administration
- b. Solid Waste Management Operations
- i) Waste Management Facilities
 - ii) Collections, Processing and Disposal
 - iii) Administration
 - iv) Facilities Management
 - v) Regional Corporate Costs
 - vi) Waste Management Centre
 - vii) Community Outreach
 - viii) Environmental Studies
- 2.5 The 2022 Works Department Business Plans and Budgets also provide funding for a share of the operation and maintenance of Regional Headquarters.
- 3. 2021 Accomplishments**
- 3.1 In 2021 the Works Department:
- a. Completed the rehabilitation of 19.5 kilometres of Regional roads including installation of wider paved shoulders on rural roads to provide safer cycling environment.

- b. Advanced the implementation of the Durham Vision Zero Safety Plan, including the installation of 4 new fixed Automated Speed Enforcement (ASE) cameras, and the continued deployment of 4 ASE cameras on a rotational basis.
- c. Acquired properties to support the advancement of Regional strategic initiatives and projects and negotiated leases for space for program delivery including the following strategic acquisitions:
 - The Ritson Road Public School to support Durham Regional Master Housing Strategy to increase the supply of low income and medium and high-density housing in Durham.
 - The Beaverton Paramedic Station to ensure adequate response time for the Beaverton and northern Brock Township communities and provide additional space for other regional services.
 - Land requirements for several growth and road rehabilitation projects to advance the transportation objectives outlined in the Region of Durham Official Plan and the Transportation Master Plan, and to advance Highway 2 Bus Rapid Transit implementation.
- d. Secured and operationalized 85 spaces for COVID-19 clinics across the eight (8) municipalities which facilitated 16 mass immunization clinics and 69 pop-up clinics to support the Region's vaccination campaign.
- e. Provided service to more than 335,000 customers at the Region's Waste Management facilities.
- f. Implemented the Rapid Transit Office to support the delivery of the new transit infrastructure in the Region of Durham and coordinate the Region's involvement in the planning of transit expansion in the Region with external partners.
- g. Advanced Phase 2 of the Region's Long Term Waste Management Plan with a focus on proposed actions and targets, including extensive public consultation.
- h. Rolled out the first phase of the Enterprise Maintenance Management System (EMMS) to assist with the tracking of staff labour costs across multiple programs and to manage work orders and supply inventories.

- i. Provided strategic planning and execution of the Region's "Return to Work" plan for a safe return of staff into Regional facilities.
- j. Completed the Depot Rationalization Study and draft Master Plan.
- k. Advanced the Pickering/Uxbridge broadband installation in partnership with Planning and Economic Development.
- l. Advanced Regional facilities capital projects including:
 - Design and construction of 10 modular housing units and 2 service units for the Oshawa Micro-homes pilot project. The homes have been placed on site with occupancy expected in February 2022;
 - Design and tender for the Seaton RDPS Station and Training facility. Construction is slated to begin in the spring of 2022;
 - Design and tender for the Durham Regional Police Service Clarington Phase 2 project. Construction work to commence in late spring or early summer of 2022;
 - Completion of swing space construction and design and tender documents for the first phase of the Regional Headquarters Workplace Modernization Project;
 - Advanced design work for the optimization of 101 Consumers Road, Whitby;
 - Commenced the installation of 36 charging stations at Regional facilities; and
 - Completed various state of good repair projects to support the goals of the Region's Asset Management plan.
- m. Completed laboratory testing for the use of alternative recycled material (e.g., plastics, crushed glass, etc.) in the planned reconstruction of Regional 18 (Phase 2) in Clarington.
- n. Supported the implementation of the Regional Cycling Plan to provide residents with a safe and accessible network through the addition of 4.8 kilometres of new cycling facilities.

- o. Initiated the Biocover Feasibility Project at the Oshawa Landfill to determine if biocover is an effective methane reduction method for closed landfills in the Region.

4. 2022 Strategic Highlights

4.1 The Works Department 2022 Business Plans and Budgets propose significant investments for capital infrastructure, including:

- a. Total capital regional roads and infrastructure projects totalling \$176.0 million, including \$32.3 million in Regional transportation projects funded under the Investing in Canada Infrastructure Program (ICIP). Of the \$143.7 million transportation projects, excluding ICIP, \$68.7 million are growth related with the balance of \$75.1 million for rehabilitation of existing infrastructure and system improvement projects.
- b. \$1.5 million in capital investments to achieve Durham Vision Zero's goals, with financing of \$0.7 million provided from the Vision Zero Initiatives Reserve Fund, for the implementation of safety measures.
- c. Capital projects totaling \$1.161 million to deliver prioritized Health & Safety enhancements, including the relocation of the Materials Testing Laboratory to improve ventilation and renovations at 3 Works Depots to install women's changerooms.
- d. \$2.5 million investment for the completion of comprehensive building condition assessments and level 3 energy audits to determine baseline emissions and reduction options to develop the greenhouse gas emissions reduction plan and pathway for Regional buildings as approved in Finance and Administration Committee Report #2021-F-31.
- e. \$8.4 million investment for accessibility and energy efficiency improvements, and measures to achieve near zero GHG emissions as part of the optimization work being undertaken at the Region's 101 Consumers Drive facility as approved in Finance and Administration Committee Report #2021-F-31.
- f. Continuation of procurement process for AD/MWP facility, including completion of the RFP process and award recommendation to Council along with financing strategy. Once completed, the facility will contribute to an increase in Durham's diversion rate.

- g. Implementation and finalization of consulting process for the new Long-Term Waste Management Plan (LTWP) 2021- 2040 totaling \$0.3 million. Once completed, the LTWP will focus on maximizing the diversion of materials from waste and managing the generated waste as a resource.
 - h. Continued participation in the cross-departmental team developing the Seaton Phase 2 Front Ending Agreement principles and negotiations with the Seaton Landowners Group to advance the next stage of development in the Seaton community.
 - i. Oversight of expansion of Regional infrastructure to address traffic impacts related to Durham Live.
 - j. Participation and input into the comprehensive review of the Region's Regional Transit Development Charge By-law and the Regional Development Charges By-law renewal and background studies.
- 4.2 In addition to these capital priorities, the proposed 2022 Works Department Business Plans and Budgets include investments for key operational initiatives such as:
- a. Implementation of the Durham Vision Zero countermeasures program totaling \$1.27 million for the for the ongoing delivery of red-light camera technology and Automated Speed Enforcement.
 - b. Increases in road maintenance costs in response to growth and historical service demands totaling \$0.2 million.
 - c. Increased temporary resources to support the ongoing establishment of the fibre backbone totaling \$160k, fully recovered from Durham OneNet Inc.
 - d. Increased supply of blue box, green bin and bin lids reflecting growth and demand totaling \$0.257 million.
- 4.3 A total of 23.480 new full-time equivalent employees (FTEs) are included in the 2022 proposed budget for General Tax and Waste, representing new permanent resources to support the delivery of the Works Department's capital projects and operating activities, and delivery of key strategic corporate projects and priorities. The cost of some of these positions is allocated at varying levels to capital projects or maintenance activities:

- a. New Positions to Support Existing Activities:
- 2 Senior Project Coordinators in Construction (costs are shared with Water Supply, Sanitary Sewerage and Works General Tax) 0.716 FTE
 - Project Supervisor in Transportation Design 1.000 FTE
 - Project Engineer in the Rapid Transit Office 1.000 FTE
 - 2 Project Managers in Transportation Infrastructure 2.000 FTE
 - Works Technician 2 (Road Occupancy) in Transportation Infrastructure 1.000 FTE
 - Supervisor of Development and Studies in Transportation Infrastructure 1.000 FTE
 - Policy Analyst in Facilities, Design, Construction and Asset Management (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.343 FTE
 - Senior Project Coordinator in Facilities, Design, Construction and Asset Management (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.343 FTE
 - System Mechanic (Dispatch Group) in Facilities Maintenance and Operations (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.343 FTE
 - Works Technician 5 (Contract Group) in Facilities Maintenance and Operations (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.343 FTE
 - Works Technician 3 (Security Group) in Facilities Maintenance and Operations (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.343 FTE
 - Mobile Maintenance Mechanic (Custodial Group) in Facilities Maintenance and Operations (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.343 FTE
 - GIS Specialist in Maintenance Operations 1.000 FTE

- Technical Assistant in Maintenance Operations 1.000 FTE
 - District Technician at Sunderland Depot (costs are shared with Water Supply, Sanitary Sewerage and Works General Tax) 0.366 FTE
 - Clerk 3 for Durham Vision Zero in Traffic Operations 1.000 FTE
 - Business Analyst for EMMS in Works Financial Services (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.350 FTE
 - Project Manager for EMMS in Works Financial Services (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.350 FTE
 - Leasing Specialist in Real Estate (costs are shared with Water Supply, Sanitary Sewerage, Works General Tax and Solid Waste) 0.640 FTE
 - Works Technician 5 in Traffic Operations 1.000 FTE
- b. Temporary to Permanent Conversions:
- Seven Labourer positions in Maintenance Operations 7.000 FTE
 - Works Technician 1 in Traffic Operations 1.000 FTE
 - Works Technician 2 in Traffic Operations 1.000 FTE

4.4 The Works Department provides significant support to key Regional initiatives included in the 2022 Business Plans and Budgets that provide mitigation and adaptation measures and strategies to address the Region's climate change initiatives, including:

- a. Installation of Electrical Vehicle (EV) chargers at the Ajax, Oshawa/Whitby, Scugog and Sunderland Depots, the Durham York Energy Centre (DYEC), Clarington Municipal Hazardous Special Waste (MHSW) and the Durham Recycling Centre (DRC) for a total gross cost of \$0.219 million, with \$0.057 million in federal grant funding under the NRCan Zero Emission Vehicle Infrastructure Program.
- b. Purchase of a new plug-in electric hybrid SUV for the Facilities Maintenance and Operations division at a net cost of \$0.034 million (non-water/sewer share).

- c. The acquisition of 2 new plug-in, electric hybrid, ½ ton pick up trucks for the Orono and Sunderland Depots at a gross cost of \$0.05 million, dependent on manufacturer availability.
 - d. The replacement of 2 electric hybrid, ½ ton pick up trucks at Duffin Creek WPCP and the Oshawa/Whitby Depot at a cost of \$0.150 million, funded through the equipment replacement reserves, dependent on manufacturer availability.
 - e. Support through the Rapid Transit Office and Corporate Real Estate for the implementation of Bus Rapid Transit on Highway 2.
 - f. Evaluation of third-party waste haulage emissions to quantify impact of switching to renewable natural gas or other low-carbon fuel to reduce GHG emissions associated with residential waste collection.
- 4.5 The COVID-19 pandemic is having a significant impact on Works services and programs, mainly in the following areas:
- a. Increase in janitorial costs for sanitization of all facilities.
 - b. Increase in vehicle usage costs due to physical distancing requirements.
 - c. Increase in overhead expenditures for the purchase of Personal Protective Equipment (PPE's) and cleaning supplies.

5. 2022 Risks and Uncertainties

- 5.1 Areas of potential risks and pressures that could impact the operating and capital budgets of the Works Department include:
- a. Risks related to legislative changes, regulations, provincial reviews:
 - Obligation to meet legislative standards, for example, the Ontario One-Call program to meet response time requirements.
 - On-Site and Excess Soil Management Regulation 406/19.
 - Transition to the Extended Producer Responsibility (EPR) regime, including the timing and content of regulations supporting the transition.
 - Replacement and upgrades to fuel dispensing and tank monitoring systems.

- b. Revenue/Funding pressures:
 - Uncertainty regarding timing of receipt and availability of development charge revenue to fund major projects.
- c. Operating Pressures:
 - Significant increase in commodity pricing and global supply chain issues putting pressure on program budgets and capital project delivery.
 - Uncertainty in delivering capital programs due to lack of adequate staffing to respond to the volume and complexity of projects.
 - Recruiting and retaining qualified staff, especially in the highly competitive engineering and construction project management market.
 - Managing the pressures from growth and increased demand on the transportation network and waste management operations.
 - Severe weather events leading to higher than anticipated costs for winter maintenance, and increased costs for repairs of roads.
 - Cost of repairs to Regional infrastructure due to several factors, including age of the infrastructure, external influences such as weather, and timing of replacements based on life cycle.
 - Additional demands for maintenance cleaning and winter operations for new roads to ensure safety of pedestrians and motor vehicles and movement of goods.

6. Future Budget Pressures

6.1 Items proposed in the 2022 Works Department Business Plans and Budgets will result in impacts to the 2022 budget including:

a. Annualization of new positions proposed in 2022, excluding recoveries from capital projects:

- Works – General Tax \$1,300,490
- Solid Waste Management 27,224

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

pressures include:

a. Growth Requirements:

- Increased demands for road maintenance, traffic signal maintenance and solid waste management programs in growth areas.
- Increased fleet and equipment requirements to service and maintain growing infrastructure.
- Operating costs related to the future mixed waste pre-sort and anaerobic digestion facility.
- Increased capital infrastructure including new and expanded facilities to accommodate service growth and development.

b. Asset Management and Infrastructure Requirements:

- Refurbishment and expansion of existing Maintenance Operations Depots and Regional Waste Management Facilities.
- Replacement of fuel dispensing and tank monitoring systems.
- Cost implications resulting from the Regional Road Streetlighting Policy review and Road Rationalization.
- Growth in the Rapid Transit Office resourcing in response to planned project activity in future years, and increased road maintenance costs associated with the additional lane kilometers of roadway.
- Capital road, traffic control and bridge expansion and rehabilitation needs.

c. Legislative and Regulatory Requirements:

- Ongoing environmental protection, compliance and rehabilitation requirements for closed landfills.
- Continued uncertainty regarding recyclable commodity price revenues.
- Expansions of Vision Zero countermeasures.

7. Relationship to Strategic Plan

7.1 This report aligns with/addresses the following strategic goal and priorities in the Durham Region Strategic Plan.

a. Goal 1 - Environmental Sustainability:

- Accelerating the adoption of green technologies and clean energy solutions through strategic partnerships and investment with internal and external partners and academic institutions. The Region is currently partnering with the Toronto Atmospheric Fund to deliver building retrofits of the senior's housing portfolio to reduce energy consumption and carbon emissions under FCM's Sustainable Affordable Housing program.
- Increasing resource recovery through the implementation of mixed waste pre-sort and Anaerobic Digestion by 2024; and promoting the use of recycled materials in construction projects.
- Protecting, preserving and restoring the natural environment including greenspaces, waterways, parks, trails, and farmlands by exploring alternative winter de-icing materials to minimize salt impacts; integrating environmentally sensitive solutions and practices; increasing restoration measures for impacted areas from construction projects; continue controlled-harvest practices in all Durham Region Forest tracts; and ensuring site plan development preserve natural features and favour native plant restoration.
- Demonstrating leadership in sustainability and climate change action by mitigating the environmental impacts of projects and continuing to showcase environmental awareness and the importance of Regional assets, such as the Regional Forest. Landfill reclamation and remediation work will continue along with the ongoing implementation of the Oshawa Landfill biocover pilot project.
- Expanding sustainable and active transportation by promoting transit and cycling; identifying and prioritizing road maintenance and winter response on primary cycling routes.
- Increasing availability of EV charging stations at Regional facilities; and exploring alternative fuels for the Regional fleet.

- b. Goal 2 - Community Vitality:
- Revitalizing existing neighbourhoods and build complete communities that are walkable, well-connected, and have a mix of attainable housing through the expansion of the Regional cycling network.
 - Enhancing community safety and well-being with improvements to road traffic safety by advancing projects that are part of the Durham Vision Zero initiative.
- c. Goal 3 - Economic Prosperity:
- Better connections for people and movement of goods by constructing and maintaining an efficient goods movement network.
 - Supporting the Bowmanville GO extension and the Rapid Transit network.
 - Centralizing Regional services at strategic facilities to reduce travelling time and increasing convenience for residents.
 - Expediting the delivery of high-speed internet services to the rural and underserved communities across Durham Region by leveraging and expanding upon the existing Traffic Operations fibre network.
- d. Goal 4 – Social Investment:
- Supporting the revitalization of Durham Region Local Housing Corporation sites, including advancing the redevelopment of underutilized Regional sites to facilitate modern, safe mixed income communities while increasing the amount of affordable housing units.
 - Collaborating with departments and community organizations to advance housing supports across the Region, including leading the design and construction of modular supportive housing, microhomes and advancing land banking opportunities.
- e. Goal 5 - Service Excellence:
- Collaborating for a seamless service experience by seeking new partnerships with local municipalities; developing a coordinated complaints log for Works to ultimately roll into Durham311; and

maintaining and expanding the service request system for addressing external concerns through a single point of contact.

- Demonstrating commitment to continuous quality improvement and transparency through public engagement on all major public works initiatives in real time.
- Driving innovation by leveraging the functionality of the Enterprise Maintenance Management System for a coordinated complaints log and tool for public requests for work; and expanding the Traffic Watch map tool to incorporate other activities such as real time snowplow routes and water main break repair updates.

7.2 The Strategic Priorities section of the 2022 Works Department Business Plans and Budget document further highlights planned activities for the current budget year which will contribute to the achievement of the Region's priorities outlined in the Region's Strategic Plan.

8. Conclusion

8.1 The recommended 2022 Works Department Business Plans and Budget meets the Council approved guideline for the 2022 Property Tax Supported Business Plans and Budgets and supports the Department's role in the provision of roads, bridges and other general tax supported programs and services.

8.2 It is recommended that the Works Committee approve the 2022 Business Plans and Budgets for the Works Department's General Tax and Solid Waste Management Operations, and forward this report to the Finance and Administration Committee for consideration during the budget deliberations of the 2022 Property Tax Supported Business Plans and Budget.

8.3 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the recommendation.

9. Attachments

- 9.1 Detailed 2022 Business Plans and Budgets for the Works Department's General Tax and Solid Waste Management Operations are available on-line through the link provided on the February 2, 2022 Works Committee agenda.

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