



The Regional Municipality of Durham

Works Committee Agenda

Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Wednesday, May 4, 2022

9:30 AM

Please note: In an effort to help mitigate the spread of COVID-19 and to comply with public health measures, this meeting will be held in a hybrid meeting format with electronic and limited in-person participation. It is encouraged that members of the public [view the Committee meeting](#) via live streaming, instead of attending the meeting in-person. If in-person attendance is required, arrangements must be made by emailing clerks@durham.ca prior to the meeting date. Individuals are required to complete passive screening prior to entering Regional Headquarters and must wear a mask or face covering while on the premises.

1. Roll Call

2. Declarations of Interest

3. Adoption of Minutes

A) Works Committee meeting – April 6, 2022

Pages 3 - 17

4. Statutory Public Meetings

There are no statutory public meetings

5. Delegations

There are no delegations

6. Presentations

There are no presentations

7. Waste

7.1 Correspondence

7.2 Reports

There are no Waste reports

8. Works

8.1 Correspondence

8.2 Reports

- A) Approval to Award a Sole Source Agreement to Continue the Provision of Bioxide and Associated Chemical Dosing System to Reduce Odour and Corrosion in the Trunk Sanitary Sewer located in Lord Elgin Park, in the Town of Ajax (2022-W-25) 18 - 22
- B) Agreement with the City of Toronto and the Regional Municipality of Durham related to the Finch Avenue Watermain (2022-W-26) 23 - 27
- C) Amendments to Gross Vehicle Weight – Bridges By-Law #42-2019 (2022-W-27) 28 - 34

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, June 8, 2022 at 9:30 AM

13. Adjournment

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The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, April 6, 2022

A regular meeting of the Works Committee was held on Wednesday, April 6, 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 was absent for part of the meeting
Councillor Crawford
Councillor McLean
Councillor John Neal
Councillor Smith
Regional Chair Henry

Also

Present: Councillor Highet
Councillor Wotten

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer
G. Anello, Director of Waste Management
J. Demanuele, Acting Commissioner of Works
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
J. Presta, Director of Environmental Services
K. Ryan, Solicitor, Corporate Services – Legal Services
N. Taylor, Commissioner of Finance
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 on interest.

3. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor Barton,
(30) That the minutes of the regular Works Committee meeting held on
Wednesday, March 2, 2022, be adopted.

CARRIED

4. Statutory Public Meetings

There were no statutory public meetings.

5. Delegations

5.1 Linda Gasser, Durham Resident, re: Proposed Pilot of Mandatory Clear Garbage Bag Use in the Municipality of Clarington (2022-WR-3) [Item 7.2 A)]

Linda Gasser, Durham resident, appeared before the Committee regarding Report #2022-WR-3: Proposed Pilot of Mandatory Clear Garbage Bag Use in the Municipality of Clarington.

L. Gasser stated that the primary purpose of clear bags is to reduce garbage generation and motivate residents to sort and participate in diversion programs. She feels that increases in diversion are a positive by-product of clear bags; and that clear bags will prepare Durham residents to improve sorting and participation in advance of the transition of the Blue Box so recyclables don't migrate to the garbage bag.

L. Gasser stated that the City of Orillia started the Clear Bag Program in February 2022 and provided statistics regarding their waste collection data for the first five weeks of the program. She also provided an overview of the City of Markham's data from 2010 to 2021 which highlighted the implementation of different programs. She stated that Markham adopted clear bags in 2013 and provided statistics on their diversion rates.

L. Gasser expressed the following concerns with regards to Report 2022-WR-3: timing; the pilot should account for seasonal fluctuations in waste; the report takes a punitive approach; staff should consider audit and pilot from July to December 2023; baseline audits should be for the same routes over the same period; and, the Municipality of Clarington must have input into all communications with residents. She requested that the report be sent back to staff to consider concerns raised or consider amendments to the recommendation and pilot parameters.

L. Gasser responded to questions of the Committee.

5.2 Wendy Bracken, Durham Resident, re: Proposed Pilot of Mandatory Clear Garbage Bag Use in the Municipality of Clarington (2022-WR-3) [Item 7.2 A]

Wendy Bracken, Durham resident, appeared before the Committee regarding Report #2022-WR-3: Proposed Pilot of Mandatory Clear Garbage Bag Use in the Municipality of Clarington.

W. Bracken stated that a Clear Bag Policy is needed and would be a positive step forward to reducing garbage and protecting health and environment. She stated that it is especially important in Durham since there is an incinerator and it is important to reduce the amount of toxic materials in the garbage stream. She expressed concerns that a clear bag policy needs to be balanced and not designed to be punitive. She feels there is an opportunity to educate and increase participation, and that clear bags would be the best enforcement tool when the Blue Box program moves to Producers.

W. Bracken stated that according to the Continuous Improvement Fund, 40 municipalities have successfully implemented a clear bag policy with the primary rationale for the policy change being: increased worker safety; removal of hazardous waste items from the waste stream; and, increased diversion of recyclables.

W. Bracken also expressed concerns regarding: the length of the study being a 6-month period is not optimal with seasonal fluctuations; staff should shorten the period between the notice of the pilot and commencement; performance measures should include electronic waste; review the costs; involve the Municipality of Clarington; review the zero-tolerance policy; inform residents why the clear bag policy is being launched; and, study comparisons must be clearly defined. She requested that the report be referred back to staff; and that other municipalities be invited to speak to the recommendations.

W. Bracken responded to questions of the committee.

6. Presentations

6.1 Gioseph Anello, Director, Waste Management Services re: Proposed Pilot of Mandatory Clear Garbage Bag Use in the Municipality of Clarington (2022-WR-3) [Item 7.2 A]

Gioseph Anello, Director, Waste Management Services, provided a PowerPoint Presentation regarding Proposed Pilot of Mandatory Clear Garbage Bag Use in the Municipality of Clarington. A copy of the presentation material was provided to members in advance of the meeting.

Highlights of the presentation included:

- Clear Garbage Pilot for the Municipality of Clarington

- Proposed 2023 Clear Bag Pilot
- Proposed 2023 Pilot – Measuring Results
- Lessons Learned – Durham 2009 Pilot
- Lessons Learned – Other Municipal Programs
- Mixed Waste Pre-sort and Anaerobic Digestion

G. Anello advised that the purpose of the Clear Bag Pilot is to measure the impact on diversion and to evaluate the program for Region-wide implementation. He stated that staff is suggesting a 6-month pilot on selected routes in the Municipality of Clarington with mandatory participation after a 4-week transition period. He stated that opaque bags will be left at the curb; residents will be allowed one privacy bag per clear garbage bag; and any quantity of visible Blue Box or Green Bin material will result in rejection at the curb.

G. Anello provided an overview of how audits will be conducted; what was learned from the Durham 2009 Pilot; and lessons learned from other municipal programs. With regards to mixed waste pre-sort and anaerobic digestion, he stated that clear garbage bags are not effective in multi-residential buildings with no impact on diversion and will not assist the Region in meeting its regulatory obligations; mixed waste pre-sort will effectively remove recyclable metals and organic waste from all garbage streams with no impact of resident fatigue with the program; and anaerobic digestion is capable of processing a wider variety of organic materials than composting.

Staff responded to questions with regards to the concerns raised by the delegation with regards to the timing of the communications as well as the implementation of the pilot. Staff also responded to questions regarding the differences with the City of Markham clear bag program; the effect of the pilot on the Oshawa Depots; whether the Municipality of Clarington is in support of the pilot; whether staff would be willing to discuss the pilot with the public before the election process; what happens with the rejected bags; partnering with school boards to create educational programs with a focus on the Municipality of Clarington; how would the \$500,000 be used to educate the public; and, whether there will be a designated member from Clarington council to be a main contact.

It was the consensus of the Committee to alter the agenda to deal with Item 7.2 A) next.

7. Waste

7.2 Reports

A) Proposed Pilot of Mandatory Clear Garbage Bag Use in the Municipality of Clarington (2022-WR-3)

Report #2022-WR-3 from J. Demanuele, Acting Commissioner of Works, was received.

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

- A) That the implementation of a clear garbage bag pilot program in the Municipality of Clarington be approved with the following implementation parameters:
 - i) That the clear garbage bag pilot project be implemented for a period of six months;
 - ii) That the six month clear garbage bag pilot project commence in the second quarter of 2023 include a four week transition period until participation in the program becomes mandatory;
 - iii) That the six month clear garbage bag pilot project commence after the four week transition period, implemented in a manner that reflects how the clear garbage bag program would be implemented on a permanent basis, meaning that where any visible Blue Box material, food or household hazardous waste is detected in the garbage bag during the mandatory phase, the bag will not be collected and will be left at the curb;
 - iv) That the six month clear garbage bag pilot project be conducted with the following performance measures to determine the effectiveness of the program as compared to a 2022 baseline, and to other Regional Municipality of Durham municipalities that are not part of the pilot:
 - a. Garbage generation rates compared to baseline data;
 - b. Quantity of Blue Box, Green Bin and/or household hazardous material found in the garbage bag compared to baseline data;
 - c. Collection contractor injury rate;
 - d. Collection route impacts (collection time, etc.); and
 - e. Incidence of illegal dumping complaints;
- B) That external resources (consulting or other) to support the implementation of the clear garbage bag pilot project be retained in 2022 at a cost not to exceed \$125,000* to provide:

- i) An initial communication strategy and support in the planning and operating phases of the clear garbage bag pilot, including the distribution of educational material to residents in the Municipality of Clarington and retail outlets related to the supply of clear garbage bags; and
 - ii) Waste audits to establish the 2022 baseline for the performance measures and measure performance in the Municipality of Clarington and other Regional Municipality of Durham municipalities;
- C) That financing for the incremental cost of the clear garbage bag pilot project background work required in 2022 at an estimated cost of \$125,000* be provided at the discretion of the Commissioner of Finance; and
- D) That the remaining pilot program costs currently estimated at \$405,000* reflecting anticipated additional collection contractor costs, ongoing waste audits to evaluate the results of the clear garbage bag pilot program and continued educational and promotional efforts to support the pilot be included as part of the proposed 2023 Business Plans and Budgets for Waste Management Services and subject to the approval of the new Council.
REFERRED BACK TO STAFF AS AMENDED
ON A RECORDED VOTE (SEE FOLLOWING
MOTIONS)

Moved by Regional Chair Henry, Seconded by Councillor Marimpietri,

- (32) That the main motion (31) of Councillors McLean and Marimpietri be amended by adding the following as a new Part E):

- E) That staff work with the appropriate school board to create an education module or program explaining the Clear Bag Program and that staff also work with all school boards to create programs related to waste.

CARRIED

Moved by McLean, Seconded by Councillor Marimpietri,

- (33) That the main motion (31) of Councillors McLean and Marimpietri, as amended, be referred back to staff until after the summer recess.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

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

No

Councillor Marimpietri
Chair Mitchell

Members Absent: Councillor Barton

Declarations of Interest: None

7. Waste

7.1 Correspondence

- A) Correspondence from the Municipality of Clarington regarding the Use of Incinerator Waste
-

Moved by Councillor Smith, Seconded by Councillor Marimpietri,
(34) That the correspondence dated March 15, 2022 from the Municipality of Clarington regarding the Use of Incinerator Waste be referred to staff for a response.

CARRIED

7.2 Reports

- A) Proposed Pilot of Mandatory Clear Garbage Bag Use in the Municipality of Clarington (2022-WR-3)
-

Report #2022-WR-3 from J. Demanuele, Acting Commissioner of Works, was dealt with earlier in the meeting. (See pages 4 to 7 of these minutes).

8. Works

8.1 Correspondence

- A) Presentation Material from the Association of Municipalities of Ontario re: Waste Management Task Force Meeting (provided at the request of the Regional Chair)
-

Moved by Councillor Marimpietri, Seconded by Councillor Smith,
(35) That the presentation from the Association of Municipalities of Ontario regarding the Waste Management Task Force Meeting of March 2, 2022 be received for information.

CARRIED

- B) Information Report #2022-INFO-26 of the Commissioner of Works and Commissioner of Corporate Services re: Modified Vehicle Mufflers and Noisemakers
-

Staff responded to questions regarding whether Jake brakes are legislated.

Moved by Councillor Marimpietri, Seconded by Councillor Smith,
(36) That Information Report #2022-INFO-26 of the Commissioner of Works and Commissioner of Corporate Services regarding Modified Vehicle Mufflers and Noisemakers be received for information and referred to the consideration of Item 11. A) Other Business: Modified vehicles in Durham Region.

CARRIED

8.2 Reports

A) Standardization of Programmable Logic Traffic Controllers and Related Control Equipment to be used for the Installation, Operation and Maintenance of Traffic Control Signals (2022-W-19)

Report #2022-W-19 from J. Demanuele, Acting Commissioner of Works, was received.

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

- A) That the Regional Municipality of Durham's Programmable Logic Traffic Controllers and related control equipment manufactured by Econolite Canada Incorporated continue to be adopted as the Regional standard for the installation, maintenance and operation of traffic control signals;
- B) That staff be authorized to negotiate and award a sole source agreement with Econolite Canada Incorporated for the provision of Programmable Logic Traffic Controller equipment at an annual net cost not to exceed \$770,000* for a term of up to five years, to be financed through the annual Works Department Business Plans and Budget; and
- C) That the Commissioner of Finance or designate be authorized to execute the necessary documents related to the sole source agreement.

CARRIED

B) Memorandum of Understanding with the Town of Whitby for the Construction of Regional Infrastructure at 270 Water Street Associated with the Construction of the Whitby Water Supply Plant Expansion, in the Town of Whitby (2022-W-20)

Report #2022-W-20 from J. Demanuele, Acting Commissioner of Works, was received.

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

- A) That a Memorandum of Understanding with the Town of Whitby be authorized for the construction of Regional Municipality of Durham infrastructure associated with expansion of the Whitby Water Supply Plant, in the Town of Whitby, in the general form and content as provided in Attachment #2 to Report #2022-W-20 of the Acting Commissioner of Works; and
- B) That the Regional Chair and Clerk be authorized to execute this Memorandum of Understanding, and any necessary documents and/or final agreements, in a form satisfactory to the Acting Commissioner of Works and the Regional Solicitor, required to implement the project requirements detailed within the Memorandum of Understanding.

CARRIED

- C) Declaration of Lands as Surplus and Approval to Convey the Surplus Lands to the Adjacent Landowner as part of a Land Exchange for Regional Requirements (2022-W-21)

Report #2022-W-21 from J. Demanuele, Acting Commissioner of Works, was received.

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

- A) That a portion of the property municipally known as 3375 Liberty Street North in the Municipality of Clarington, legally described as Part of Lot 10, Concession 3, (Geographic Township of Darlington), Municipality of Clarington, further described as Part 7 on Registered Plan 40R-31645 be declared surplus to Regional Municipality of Durham requirements;
- B) That Regional Municipality of Durham staff be authorized to enter into a Land Exchange Agreement with the adjacent property owner under the following terms:
 - i) The Regional Municipality of Durham will transfer lands legally described as Part of Lot 10, Concession 3, (Geographic Township of Darlington), Municipality of Clarington, further described as Part 7 on Registered Plan 40R-31645 and having a Fair Market Value of \$2,097,000 to Jayzee Properties Inc. for nominal consideration;
 - ii) Jayzee Properties Inc. will transfer lands legally described as Part of Lot 10, Concession 3, (Geographic Township of Darlington), Municipality of Clarington, further described as Parts 1, 2, 3, and 5 on Registered Plan 40R-31645 having a Fair Market Value of \$2,122,000 to the Regional Municipality of Durham for nominal consideration;

- C) That the requirements of Sections 3 and 4(1) of Regional By-law #52-95 be waived to facilitate the land exchange between the Regional Municipality of Durham and Jayzee Properties Inc.; and
- D) That the Acting Commissioner of Works be authorized to execute all documents associated with this land exchange.

CARRIED

- D) Renewal of Lease Agreement with Hand-In-Hand Corporation for the Regional Municipality of Durham Social Services Department, Located at 339 Westney Road South, in the Town of Ajax (2022-W-22)

Report #2022-W-22 from J. Demanuele, Acting Commissioner of Works, was received.

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

- A) That the Renewal of Lease Agreement with Hand-In-Hand Corporation for the premises located at 339 Westney Road South, in the Town of Ajax, containing approximately 337.97 square metres (3,638 square feet) of office space be approved on the following terms and conditions:
 - i) The term is for a period of five years commencing June 1, 2022, and ending May 31, 2027;
 - ii) The annual rental rate for the term of the lease will be \$49,113.00* based on the rate of \$145.31* per square metre (\$13.50* per square foot) per annum;
 - iii) The additional rental rate for the term of the lease will be \$36,852.94* based on the rate of \$109.04* per square metre (\$10.13* per square foot) per annum to cover operating costs for the building, common areas and the leased premises. The per square foot dollar amount of additional rent is to be adjusted annually based on actual costs; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with this Lease Agreement.

CARRIED

- E) Renewal of Lease Agreement with 3414493 Canada Inc. for Works Department Supervisory Control and Data Acquisition Antenna, Located at 200 White Oaks Court, in the Town of Whitby (2022-W-23)

Report #2022-W-23 from J. Demanuele, Acting Commissioner of Works, was received.

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

- A) That the extension of Lease Agreement with 3414493 Canada Inc. for the Supervisory Control and Data Acquisition Antenna located at 200 White Oaks Court, in the Town of Whitby, for a portion of the telecommunications tower and part of the penthouse mechanical room, be approved under the following terms and conditions:
 - i) The term is for a period of two years commencing May 1, 2022, and ending April 30, 2024;
 - ii) The annual rental rate for the two-year term is \$14,780.00* which includes the cost of hydro;
 - iii) The Regional Municipality of Durham will be responsible for the maintenance and repair of the site and the antenna system; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with this Lease Agreement.

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 Acting Commissioner of Works – Litigation or Potential Litigation, including matters before Administrative Tribunals, affecting the Regional Corporation, with respect to a s. 24 Settlement Agreement under the Expropriations Act, R.S.O. 1990, c. E.26, for Lands Acquired to Facilitate the Reconstruction of Highway 2 (Kingston Road), in the City of Pickering (2022-W-24)

Confidential Report #2022-W-24 from J. Demanuele, Acting Commissioner of Works, was received.

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

That the recommendations contained in Confidential Report #2022-W-24 of the Acting Commissioner of Works be adopted.

CARRIED

11. Other Business

A) Modified Vehicles in Durham Region

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

WHEREAS Regional and Area Municipal Councils are receiving an increasing number of community complaints and negative feedback regarding increased noise due to modified vehicles in the Region;

AND WHEREAS the Durham Regional Police Service have laid over 300 tickets for vehicles making unnecessary noise and over 500 tickets for vehicles with prohibited mufflers or mufflers making excessive noise in the Region over the last two years under the *Highway Traffic Act (HTA)*;

AND WHEREAS on October 28, 2019, the Province of Ontario introduced *Bill 132, Better for People, Smarter for Business Act, 2019*, which creates a new section 75.1 in the HTA that makes it an offence to tamper with motor vehicles by (a) removing, bypassing, defeating or rendering inoperative all or part of a motor vehicle's emission control system or (b) modifying a motor or motor vehicle in any way that results in increased emissions from the level to which it was originally designed or certified by the manufacturer of the motor or motor vehicle, as well as prohibit the sale of tampering devices;

AND WHEREAS section 75.1 of the HTA will help reduce noise from vehicles by reducing modifications to emission systems that can lead to unnecessary noise and prohibit the sale of tampering devices to emission systems in Ontario;

AND WHEREAS although *Bill 132* received Royal Assent on December 10, 2019, the Lieutenant Governor has not yet proclaimed section 75.1 of the *HTA* and therefore is currently not in force;

AND WHEREAS Regional Council want all legislative options available to assist the Durham Regional Police Service and Local Area Municipalities to enforce the HTA and reduce unnecessary noise from Regional and local roads;

NOW THEREFORE BE IT RESOLVED:

1. THAT Regional Council requests that the Province of Ontario proclaim section 75.1 of the *Highway Traffic Act (Better for People, Smarter for Business Act, 2019, S.O. 2019, c. 14, Sched. 16, s. 11)* immediately;

2. That Regional Council request that funding for approved decibel monitoring devices and supporting legislation be provided by the Province, outfitting police services in Ontario with the necessary tools for enhanced enforcement;
3. That Regional Council request that updates be provided by the Province as to the timing of when section 75.1 of the *Highway Traffic Act* will be proclaimed and what steps the Province will take to limit the import and sale of modified exhaust systems in Ontario; and
4. That a copy of this motion be sent to The Honourable Caroline Mulroney, Minister of Transportation; all Durham Region Members of Provincial Parliament; Durham Regional Police Service; Durham Local Area Municipalities; the Ontario Provincial Police; and, the Durham Region Roundtable on Climate Change Committee.

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

Moved by Councillor John Neal, Seconded by Councillor Marimpietri,
(44) That the main motion (43) of Councillors Crawford and McLean be amended by deleting the words, "Durham Local Area Municipalities" in Clause 4 and that the following be added as a new Clause 5:

5. That a copy of this motion be forwarded to the Durham Local Area Municipalities for endorsement.

CARRIED

The main motion (43) of Councillors Crawford and McLean was then put to a vote and CARRIED AS AMENDED ON THE FOLLOWING RECORDED VOTE:

Yes

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

No

None

Members Absent: None

Declarations of Interest: None

B) Raglan Road West, City of Oshawa

Councillor John Neal inquired about Raglan Road West, specifically slowing down traffic and getting it designated as a community safety zone.

C) Vision Zero Update

Councillor Crawford provided a Vision Zero Update. She stated that a new Pilot Program is being started called, "Leading Pedestrian Interval Locations" and provided an overview of the pilot as well as a list of the locations as follows:

- Brock and Toronto, Uxbridge
- Simcoe and Reach, Scugog
- Glenanna and Esplanade, Pickering
- Stevenson at Oshawa Civic Centre, Oshawa
- Brock and Dundas, Whitby
- Hunt and Harwood, Ajax
- Harwood and King, Ajax

Councillor Crawford advised that as of April 6, 2022, there have not been any fatal traffic collisions on regional roads. She also advised that February 2022 had the lowest speed camera volumes since the inception of the program. She further stated that a Report from DRPS stated that the numbers for distracted driving are starting to equate to the numbers of impaired driving which is problematic.

Staff provided clarification on whether the Vision Zero Reports should be confidential or not.

12. Date of Next Meeting

The next regularly scheduled Works Committee meeting will be held on Wednesday, May 4, 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 John Neal,
(45) That the meeting be adjourned.

CARRIED

The meeting adjourned at 11:31 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: Acting Commissioner of Works
Report: #2022-W-25
Date: May 4, 2022

Subject:

Approval to Award a Sole Source Agreement to Continue the Provision of Bioxide and Associated Chemical Dosing System to Reduce Odour and Corrosion in the Trunk Sanitary Sewer located in Lord Elgin Park, in the Town of Ajax

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That staff be authorized to negotiate and award a sole source agreement with Evoqua Water Technologies for the provision of bioxide and the associated chemical dosing system at an upset limit of \$375,000*, from June 1, 2022, for a period not to extend beyond December 31, 2023, to be financed through the annual Sanitary Sewerage Business Plans and Budgets; and
 - B) That the Commissioner of Finance or designate 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 Council's authorization to execute a sole source agreement with Evoqua Water Technologies to continue the provision of bioxide and the associated chemical dosing system to reduce odour and corrosion in the trunk sanitary sewer located in Lord Elgin Park, in the Town

of Ajax (Ajax), effective June 1, 2022, for a period not to extend beyond December 31, 2023.

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

2. Background

2.1 Following the collapse and replacement of a section of the trunk sanitary sewer in Lord Elgin Park in the spring of 2017, numerous odour complaints were received from residents and users of the park. A subsequent investigation identified the cause of the sewer collapse and the odour complaints to be elevated levels of hydrogen sulfide in the sewer, which is an odourous and corrosive substance.

2.2 In the fall of 2017, Evoqua was engaged to pilot test the addition of a chemical called bioxide to the sanitary sewage upstream from Lord Elgin Park to evaluate its effectiveness at controlling hydrogen sulphide to reduce odour and corrosion in the trunk sanitary sewer. A sole source agreement was negotiated with Evoqua to provide bioxide and the associated chemical dosing system could be provided for the pilot test.

2.3 The pilot test demonstrated that the addition of bioxide is very effective at reducing odour and corrosion in the trunk sanitary sewer to acceptable levels, and bioxide continues to be added to the sanitary sewage as required to address the issue. However, the chemical dosing levels required would result in a high cost for the supply of bioxide if adopted as a long-term solution.

2.4 To identify a more cost-effective solution, an additional pilot test was undertaken in the summer of 2019 to evaluate the effectiveness of adding ferrous chloride to the sanitary sewage upstream from Lord Elgin Park. The pilot test demonstrated that the use of ferrous chloride would be an effective means of controlling hydrogen sulphide to reduce odour and corrosion in the trunk sewer. Ferrous chloride is currently used for other wastewater treatment applications in the Region, and a standing agreement exists for the supply of the chemical at a relatively low cost.

2.5 In late 2019, work was initiated on an engineering design and tender for a permanent chemical dosing system and a ferrous chloride storage facility at the Carruthers Creek Sanitary Sewage Pumping Station. The pandemic has hampered the work; however, the engineering design has been completed and a

tender was issued in the spring of 2022 with construction of the works estimated to be completed by December 2023.

- 2.6 To ensure that bioxide is readily available to reduce odour and corrosion in the trunk sanitary sewer until the permanent ferrous chloride works are commissioned, it is recommended that a sole source agreement be executed with Evoqua Water Technologies commencing June 1, 2022, through to December 31, 2023, to continue the provision of bioxide and the associated chemical dosing system.

3. Previous Reports and Decisions

- 3.1 On October 5, 2017, the Commissioner of Works declared an Emergency to facilitate the control of hydrogen sulphide levels in the trunk sanitary sewer located in Lord Elgin Park to reduce odour and corrosion in the trunk sewer.
- 3.2 On December 13, 2017, Report #2017-COW-277 was approved by Regional Council for the sole source supply by Evoqua Water Technologies of bioxide and associated dosing pumps and technical services for an initial term of one year to reduce odour and corrosion occurring in the trunk sanitary sewer located in Lord Elgin Park.
- 3.3 On March 27, 2019, Report #2019-W-22 was approved by Regional Council to continue the sole source supply by Evoqua Water Technologies of bioxide and the associated chemical dosing system for a term of one year to reduce odour and corrosion in the trunk sanitary sewer in Lord Elgin Park.
- 3.4 In April 2020, under the pandemic emergency the Commissioner of Finance authorized an extension of the sole source supply by Evoqua Water Technologies of bioxide and the associated chemical dosing system for a term of one year to reduce odour and corrosion in the trunk sanitary sewer in Lord Elgin Park.
- 3.5 On May 26, 2021, Report #2021-W-20 was approved by Regional Council to continue the sole source supply by Evoqua Water Technologies of bioxide and the associated chemical dosing system for a term of one year to reduce odour and corrosion in the trunk sanitary sewer in Lord Elgin Park.

4. Sole Source Justification

- 4.1 Evoqua is the only supplier that can provide a comprehensive service package for the provision of bioxide and the associated chemical dosing system. The services include the supply of chemicals, complete automation, maintenance and efficacy testing of the chemical dosing system, and the submission of quarterly service and performance reports.
- 4.2 Evoqua has supplied the Region with bioxide and associated chemical dosing equipment to date. Their system is on site and operational allowing for uninterrupted chemical dosing of the sewage in the trunk sanitary sewer.
- 4.3 Evoqua is an experienced service provider in the water and wastewater industry, and they are thoroughly familiar with the scope and details of this initiative.
- 4.4 Discontinuing the addition of bioxide until the permanent ferrous chloride works are commissioned would lead to higher levels of hydrogen sulfide in the trunk sanitary sewer, which would increase the risk of nuisance odour complaints and increase the risk of corrosion and/or collapse of the concrete sewer sections.

5. Financial Implications

- 5.1 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 Regional Council approval for the award of sole source contracts that exceed \$100,000 in value.
- 5.2 Financing for the provision of bioxide and the associated chemical dosing system at an upset limit of \$375,000* will be provided from the annual Sanitary Sewerage Business Plans and Budget.

6. Relationship to Strategic Plan

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

- Goal 1: Environmental Sustainability: Protect, Preserve and Restore the Natural Environment
- Goal 5: Service Excellence: Collaborate and ensure a seamless service experience

7. Conclusion

- 7.1 It is recommended that the Regional Municipality of Durham Council authorize the negotiation of a sole source agreement with Evoqua Water Technologies to continue the provision of biocide and associated chemical dosing system to be used to reduce odour corrosion in the trunk sanitary sewer located in Lord Elgin Park, in the Town of Ajax.
- 7.2 This report has been reviewed by the Finance Department.
- 7.3 For additional information, contact: Rich Tindall, Manager, Plant Operations, at 905-668-7711, extension 3547.

Respectfully submitted,

Original signed by:

Jenni Demanuele, CPA, CMA
Acting 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: Acting Commissioner of Works
Report: #2022-W-26
Date: May 4, 2022

Subject:

Agreement with the City of Toronto and the Regional Municipality of Durham related to the Finch Avenue Watermain

Recommendations:

That Works Committee recommends to Regional Council:

- A) That the Regional Municipality of Durham enter into an agreement with the City of Toronto for the supply of water from the Regional Municipality of Durham to the City of Toronto from the existing watermain on Finch Avenue and Beare Road in the City of Toronto in a form satisfactory to the Commissioner of Works and the Regional Solicitor, with the following key terms:
 - i) The Regional Municipality of Durham's continued provision of the water supply services and the continued direct billing of the current customers at the current water user rate;
 - ii) The City of Toronto shall remain responsible for the cost of any required repair work completed by the Regional Municipality of Durham;
 - iii) The Regional Municipality of Durham shall own and maintain the watermain in accordance with legislative requirements under the Safe Drinking Water Act and associated regulations, the Regional Municipality of Durham's Municipal Drinking Water Licence and Drinking Water Works Permit;

iv) The agreement is for an initial term ending December 31, 2041; and,

B) That the Regional Chair and Clerk be authorized to execute the agreement.

Report:

1. Purpose

1.1 The purpose of this report is to seek Regional Municipality of Durham (Region) Council approval to enter into an agreement with the City of Toronto (Toronto) for the supply of water from Durham to Toronto from the existing watermain on Finch Avenue and Beare Road in Toronto.

2. Background

2.1 The existing watermain on Finch Avenue and Beare Road in Toronto is owned and operated by the Region and provides service to residential properties in Toronto.

2.2 The property owners serviced by this watermain are billed directly by the Region for municipal water supply service.

2.3 The provision of this municipal water supply service by the Region to Toronto residents dates back to 1981, when the former Borough of Scarborough, the former Municipality of Metropolitan Toronto and the Region entered into an agreement to allow for the construction of a watermain on Finch Avenue from the Pickering Town Line, 180 metres (m) to the west (the "1981 Agreement"). The 1981 Agreement provided for the construction and installation of a 150-millimetre (mm) diameter watermain and related water service connections to facilitate the municipal water supply service provided by the Region. At the time, three properties in Toronto were experiencing deteriorating well water quality with high calcium chloride content in their private wells, and as such, the request for the watermain extension was initiated by the residents of these three properties. There were no Scarborough watermains at or near this location, however, the Region had a watermain located on Finch Avenue at the Pickering Town Line that provided a feasible solution.

2.4 In October 1991, a petition was submitted by other homeowners on Finch Avenue East in Scarborough requesting the further extension of the Region's watermain to provide drinking water service to their properties. In 2000, Toronto and the Region entered into an agreement for the supply of drinking water to

properties on Finch Avenue East, from 180 m west of the Pickering Town Line to Beare Road in the City of Toronto (the "2000 Agreement").

- 2.5 The 2000 Agreement was executed by the municipalities on October 3, 2000, for a 20-year term that expired on October 3, 2020. The Agreement included, among other things, the following:
- a. An extension of the then existing 150 mm diameter watermain on Finch Avenue East by an additional 676 m from 180 m west of the Pickering Town Line to 30 m north on Beare Road;
 - b. The construction of the watermain at Toronto's expense;
 - c. The Region's ownership of the watermain and its obligation to supply water to the connected properties;
 - d. The Region's responsibility for regular maintenance of the watermain and services connections up to and including the curb stop (shut-off valve), excluding any capital improvements to the watermain; and
 - e. Responsibility of Toronto to pay for the repair of watermain break(s).
- 2.6 Since the 2000 Agreement has expired, a new agreement is required. The proposed agreement is for a twenty-year term, ending December 31, 2041, with automatic renewals for subsequent two-year terms.

3. New Agreement

- 3.1 The new agreement is fundamentally different from the 2000 Agreement because no new watermain is being constructed at this time and all construction-related clauses within the 2000 Agreement are no longer required. The new agreement includes provisions addressing, among other things, the following:
- a. The Region's continued provision of the water supply services and the continued direct billing of the current customers (currently seven customers) for these services at the current water user rate in accordance with the Region's Fees and Charges by-law.
 - b. The current roles and responsibilities of the parties related to the operation, maintenance by the Region and any emergency repairs at Toronto's cost in accordance with legislative requirements under the Safe

Drinking Water Act and associated regulations, the Region's Municipal Drinking Water Licence and Drinking Water Works Permit; and

- c. Notifications and repair standards in the event of maintenance and repairs involving excavation within Toronto's right-of-way.
- 3.2 The new agreement has been drafted by the Region and Toronto staff. The approval of the new agreement will be finalized in a form satisfactory to the Commissioner of Works and the Regional Solicitor.

4. Financial Implications

- 4.1 The proposed new agreement requires no financial commitment by the Region, except for costs related to the regular maintenance of the water distribution system which are recoverable through the water user rate revenue.

5. Previous Reports

- 5.1 Report #2000-W-107 – Regional Council approved the execution of the November 2000 Agreement by the Regional Chair and Clerk “The Supply of Water from The Region of Durham's Water Distribution System To Properties on Finch Avenue East In The City Of Toronto”.

6. Relationship to Strategic Plan

- 6.1 This report aligns with/addresses the following strategic goals and objectives in the Durham Region Strategic Plan:

Service Excellence:

- a. Goal #5.1: Optimize resources and partnerships to deliver exceptional quality services and value; and
- b. Goal #5.2: Collaborate for a seamless service experience.

7. Conclusion

- 7.1 The proposed new agreement with the City of Toronto and the Regional Municipality of Durham is required to continue providing water supply service to the residential properties in the City of Toronto on Finch Avenue and Beare Road.

- 7.2 It is recommended that the Regional Chair and Clerk be authorized to execute the new agreement in a form satisfactory to the Commissioner of Works and the Regional Solicitor.
- 7.3 This report has been reviewed by the Finance Department.
- 7.4 For additional information, contact Aaron Christie, Manager, Engineering Planning and Studies, at 905-668-7711 extension 3608

Respectfully submitted,

Original signed by:

Jenni Demanuele, CPA, CMA
Acting 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: Acting Commissioner of Works
Report: #2022-W-27
Date: May 4, 2022

Subject:

Amendments to Gross Vehicle Weight – Bridges By-Law #42-2019

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That Corporate Services – Legal Services be directed to prepare an amending by-law to amend By-Law #42-2019, generally in the form included as Attachment #1 to this report, for submission to Regional Council for passage; and
 - B) That staff be authorized to take all steps necessary to give effect to the amendments contemplated to By-Law #42-2019 as indicated in the form included as Attachment #1.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to seek Council’s approval to amend Gross Vehicle Weight – Bridges By-Law #42-2019, specifically the addition of one new bridge for load restriction.

2. Background

- 2.1 The Gross Vehicle Weight – Bridges By-Law #42-2019, last amended on April 7, 2021 (Report 2021-W-16), applied limits to gross vehicle weights (loads) for vehicles passing over two of the 120 bridges on Regional Municipality of Durham (Region) roads: (i) the Simcoe Street (Regional Road 2) CPR Overpass (Structure #002006), south of Olive Avenue in the City of Oshawa; and (ii) the Nonquon

Bridge (Structure #008006), on Reach Street (Regional Road 8) located west of Highway 12 in the Township of Scugog(over the Nonquon River).

- 2.2 Both bridges continue to be posted for load restrictions. The Simcoe Street CPR Overpass is owned and maintained by CPR. Metrolinx has indicated that reconstruction of this structure is required for the Metrolinx Bowmanville GO Rail Expansion Project. The Nonquon Bridge was recently repaired to allow greater loads and reopening of the road to full width; however, it continues to require a load restriction until the full bridge replacement can be completed (previously budgeted and currently proposed for replacement in 2023/2024).
- 2.3 A recent structural evaluation has identified the Saintfield Road (Regional Road 6) over Layton River Bridge (Structure # 006003), located 4.0 km east of Highway 12, for load restriction (Attachment #2).
- 2.4 Pursuant to Ontario Regulation 103/97 of the Highway Traffic Act, any load limit by-law recommendations must be signed and sealed by two professional engineers who have recommended the bridge load limit and the duration for which the load postings remain valid. Two professional engineers of Ontario have examined the Regional bridges and have submitted load limit by-law recommendations. A copy of the professional engineers' approvals is included as Attachment #3.

3. Discussion

- 3.1 The following amendments to Gross Vehicle Weight – Bridges By-Law #42-2019 are proposed, for which authority is being sought pursuant to this report:
 - a. An update to Schedule 'A' is required to include the Saintfield Road (Regional Road 6) over Layton River Bridge (Structure #006003), located 4.0 km east of Highway 12, in the Township of Scugog (Attachment #2). The updated Schedule 'A' of the proposed by-law is provided in Attachment #1.
- 3.2 A recent structural evaluation of this bridge indicated it does not have adequate strength to support full traffic loads. As a result, a load restriction is necessary. The proposed load restriction can withstand the weight of the Region's snow removal fleet; however, a load restriction remains necessary. The replacement of this bridge is budgeted in 2023 as per the 2022 Capital Budget and 10-Year Forecast.

3.3 Load limits previously approved for the Simcoe Street (Regional Road 2) CPR Overpass (Structure #002006), south of Olive Avenue in the City of Oshawa and the Nonquon Bridge (Structure #008006), on Reach Street (Regional Road 8) located west of Highway 12 in the Township of Scugog continue to be recommended as per the professional engineers' approvals.

4. Conclusion

4.1 The proposed amendment to the Gross Vehicle Weight – Bridges By-Law #42-2019 reflects the outcomes of the detailed evaluation completed on the Saintfield Road (Regional Road 6) over Layton River Bridge (Structure # 006003).

4.2 This report has been reviewed by the Legislative Services and Legal Services Divisions of the Corporate Services Department.

5. Attachments

Attachment #1: Amendments to Gross Vehicle Weight – Bridges By-Law #42-2019

Attachment #2: Location Map of the Saintfield Road (Regional Road 6) over Layton River Bridge, Township of Scugog

Attachment #3: Copy of Professional Engineers of Ontario Approval

Respectfully submitted,

Original signed by:

Jenni Demanuele, CPA, CMA
Acting Commissioner of Works

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer

By-law Number **-2022
of The Regional Municipality of Durham

Being a by-law to amend By-law #42-2019 to limit the gross vehicle weight of any vehicle or any class thereof passing over a bridge forming part of the Regional Road system.

Whereas the results of a detailed structural evaluation of one of the bridges within the Regional Road system determined that this bridge did not have adequate capacity to support full traffic loads and it is recommended to limit the gross vehicle weight of any vehicle passing over this bridge.

Now therefore, the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That By-law #42-2019 be amended to repeal Schedule 'A' and replace it with the revised Schedule 'A' attached hereto.

This By-law Read and Passed on the ----th day of -----, 2022.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk

Schedule A

Bridges Located on Regional Roads

Regional Structure No.	Name and Location of Bridge	Gross Weight Limit (tonnes)	Year of Construction
002006	Simcoe Street CPR Overpass Regional Road 2, 0.2 km south of Olive Avenue	Level 1 – 56 Level 2 – 39 Level 3 – 22	1913
006003	Saintfield Road over Layton River Bridge Regional Road 6, 4 km east of Highway 12	Level 1 – 52 Level 2 – 37 Level 3 – 20	1940
008006	Nonquon Bridge Regional Road 8, 0.45 km west of Highway 12	Level 1 – 59 Level 2 – 42 Level 3 – 23	1957

SAINTFIELD ROAD
BRIDGE

Regional Rd 6

Old Simcoe Road

Old Simcoe Road




THE REGIONAL MUNICIPALITY OF DURHAM

PROPOSED WEIGHT RESTRICTION BY-LAW NO. _____

I, D. L. BAXTER, P. ENG., AND M. ZHANG, P. ENG., PROFESSIONAL ENGINEERS OF THE CONSULTING FIRM OF GHD LIMITED HAVE REVIEWED THE RESTRICTION OF THE WEIGHT OF VEHICLES PASSING OVER THE STRUCTURES KNOWN AS STRUCTURE NO. 002006, 006003 AND 008006 MORE PARTICULARLY DESCRIBED IN THE PROPOSED BY-LAW. EFFECTIVE THE DATE OF APPROVAL OF THIS BY-LAW, I AGREE WITH THE RECOMMENDED WEIGHT LIMITS AS SET OUT IN THE PROPOSED BY-LAW FOR A PERIOD OF FIVE YEARS.


SIGNED:



D. L. Baxter, P. Eng.

Stamp





M. Zhang, P. Eng.

Stamp



DATED:

April 1, 2022
