



The Regional Municipality of Durham

Works Committee Agenda

Council Chambers
Regional Headquarters Building
605 Rossland Road East, Whitby

Wednesday, September 9, 2020

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 – July 8, 2020

Pages 4 - 11

4. Statutory Public Meetings

There are no statutory public meetings

5. Delegations

There are no delegations

6. Presentations

- 6.1 G. Anello, Director of Waste Management Services, re: [Durham Region 2019 Annual Waste Management Report](#)

7. Waste

7.1 Correspondence

- A) Memorandum dated September 2, 2020 from Susan Siopis, Commissioner of Works regarding Durham Region's Long-Term Waste Management Plan (2021 to 2040) – Resolutions arising from the Energy from Waste-Waste Management Advisory Committee Special Meeting held July 15, 2020 12 - 15

Recommendation: Receive for Information

7.2 Reports

There are no Waste Reports to consider

8. Works

8.1 Correspondence

8.2 Reports

- A) Appointment of Risk Management Officials and Risk Management Inspectors as required by the *Clean Water Act, 2006* (2020-W-45) 16 - 19
- B) Servicing Agreement with Lazy Dolphin Development Inc. Including Cost Sharing in Accordance with the Regional Municipality of Durham's Share Policy for Regional Services, Related to the Extension and Oversizing of a Sanitary Sewer and the Extension of a Watermain on Coronation Road, in the Town of Whitby (2020-W-40) 20 - 25
- C) Sole Source Supply, Delivery and Service of Vactor Brand Truck Mounted Sewer Jets (2020-W-41) 26 - 32
- D) Declaration as Surplus and Approval to Dispose of Lands Located at 686 North Street, in the Municipality of Clarington (2020-W-42) 33 - 36
- E) Proposed Regional Front-Ending Agreement for the Municipal Class Environmental Assessment Study for the Re-alignment of Regional Road 17 in North Village, Newcastle, in the Municipality of Clarington (2020-W-43) 37 - 45
- F) Approval of Additional Capital Financing for Newcastle Water Supply Plant and Port of Newcastle Sanitary Sewage Pumping Station, in the Municipality of Clarington, for Regional Municipality of Durham Contract D2020-35 (2020-W-44) 46 - 52

9. Advisory Committee Resolutions

9.1 Energy From Waste – Waste Management Advisory Committee

- A) Resolution regarding Additional Town Hall Meetings on the Long-Term Waste Management Plan (LTWMP) 53
Recommendation: Approval and subsequent recommendation to Regional Council
- B) Resolution regarding Availability of Information to the Public 53
Recommendation: Receive for Information
- C) Resolution regarding Public Comment on Durham's Guiding Principles and Primary Goals as it relates to Waste Management 53
Recommendation: Receive for Information

10. Confidential Matters

There are no confidential matters to be considered

11. Other Business

12. Date of Next Meeting

Wednesday, October 7, 2020 at 9:30 AM

13. Adjournment

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. This also includes oral submissions at meetings. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.

The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, July 8, 2020

A regular meeting of the Works Committee was held on Wednesday, July 8, 2020 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. Electronic participation was permitted for this meeting.

1. Roll Call

Present: Councillor Mitchell, Chair
Councillor Barton
Councillor Crawford
Councillor McLean
Councillor John Neal, left the meeting at 10:30 AM on municipal business
Councillor Smith
Regional Chair Henry
*** all members of Committee except Councillor Mitchell and Regional Chair Henry participated electronically**

Also
Present: Councillor Bath-Hadden
Councillor Collier
Councillor Dies
Councillor Wotten
Councillor Yamada

Absent: Councillor Marimpietri, Vice-Chair

Staff

Present: G. Anello, Director of Waste Management
C. Bandel, Deputy Clerk, Corporate Services – Legislative Services
D. Beaton, Commissioner of Corporate Services
J. Demanuele, Director of Business Services
L. Fleury, Legislative Officer, Corporate Services – Legislative Services
J. Hunt, Director of Legal Services, Corporate Services – Legal Services
R. Jagannathan, Director of Transportation and Field Services
J. Paquette, Manager (Works), Corporate Communications
N. Prasad, Committee Clerk, Corporate Services – Legislative Services
J. Presta, Director of Environmental Services
R. Inacio, Systems Support Specialist, Corporate Services – IT
S. Siopis, Commissioner of Works
S. Penak, Committee Clerk, Corporate Services – Legislative Services
C. Tennisco, Committee Clerk, Corporate Services – Legislative Services

2. Declarations of Interest

There were no declarations of interest.

3. Adoption of Minutes

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

CARRIED

4. Statutory Public Meetings

There were no statutory public meetings.

5. Delegations

There were no delegations heard.

6. Presentations

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

G. Anello, Director of Waste Management, and Michael Cant, Vice-President, GHD Limited, provided a PowerPoint presentation regarding Mixed Waste Pre-Sort Technology.

Highlights from the presentation included:

- Presentation Outline
- What is Mixed Waste, Pre-Sort and Anerobic Digestion?
- Durham's Residential Waste
- Pre-Sort Objectives
- Pre-Sort Technology
- Pre-Sort Layout
- Artificial Intelligence in Pre-Sort
- Pre-Sort Facilities

G. Anello responded to questions from the Committee regarding the potential cost savings from placing the Mixed Waste Pre-Sort Facility beside the Durham York Energy Centre (DYEC); whether the recyclables can be marketed in the current environment; how much paper product could be accepted through anaerobic digestion; what percentage of the sorting at the facility would be done by humans and what percentage by robotics; and whether the facility will be sized larger than needed to meet the Region's waste processing needs.

S. Siopis advised that it would be inherent in the Region's evaluation of all design proposals that staff would be looking for all opportunities to incorporate both flexibility in the technologies and the ability to expand if necessary.

Staff responded to further questions regarding whether Extended Producer Responsibility (EPR) would change the composition in the black bags and reduce tonnage being processed through the Mixed-Waste Pre-Sort Facility.

7. Waste

7.1 Correspondence

It was the consensus of the Committee to alter the agenda to deal with Item 7.1 B) and Item 7.1 C) next.

- B) Email Correspondence from Linda Gasser, dated July 7, 2020, re: Memorandum from Susan Siopis, Commissioner of Works, dated June 15, 2020, re: 2018 Municipal Benchmarking Data – Waste Management
-

Moved by Councillor John Neal, Seconded by Councillor Barton,

- (53) That the email correspondence from Linda Gasser, dated July 7, 2020, re: Memorandum from Susan Siopis, Commissioner of Works, dated June 15, 2020, re: 2018 Municipal Benchmarking Data – Waste Management, be referred to consideration of Item 7.1 A), Memorandum from Susan Siopis, Commissioner of Works.

CARRIED

- C) Email Correspondence from Kerry Meydam dated July 7, 2020, re: Memorandum from Susan Siopis, Commissioner of Works, dated June 15, 2020, re: 2018 Municipal Benchmarking Data – Waste Management
-

Moved by Councillor John Neal, Seconded by Councillor Barton,

- (54) That the email correspondence from Kerry Meydam dated July 7, 2020, re: Memorandum from Susan Siopis, Commissioner of Works, dated June 15, 2020, re: 2018 Municipal Benchmarking Data – Waste Management be referred to consideration of Item 7.1 A), Memorandum from Susan Siopis, Commissioner of Works.

CARRIED

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

In response to a question, S. Siopis advised that the annual report on waste comes forward every year and is a public document.

Moved by Councillor McLean, Seconded by Councillor Smith,

- (55) That the memorandum from Susan Siopis, Commissioner of Works, dated June 15, 2020, re: 2018 Municipal Benchmarking Data – Waste Management, be received for information.

CARRIED

- D) Email Correspondence from Linda Gasser, dated July 7, 2020, re: Report #2020-WR-3: Request for Approval to Enter into an Agreement with Omachron Plastics Inc.
-

Moved by Councillor John Neal, Seconded by Councillor Crawford,

- (56) That email correspondence from Linda Gasser, dated July 7, 2020, re: Report #2020-WR-3: Request for Approval to Enter into an Agreement with Omachron Plastics Inc. be referred to consideration of Report #2020-WR-3 of the Commissioner of Works.

CARRIED

7.2 Reports

- A) Request for Approval to Enter into an Agreement with Omachron Plastics Inc. (2020-WR-3)
-

Report #2020-WR-3 from S. Siopis, Commissioner of Works, was received.

In response to a question, S. Siopis advised that the term “pilot project” referenced in Report #2020-WR-3 of the Commissioner of Works, meant an opportunity to try something innovative with little risk or costs to the Region. She also advised that the agreement with Omachron Plastics Inc. would be struck with the knowledge that Extended Producer Responsibility (EPR) would be coming.

Moved by Councillor McLean, Seconded by Councillor Smith,

- (57) That we recommend to Council:

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

CARRIED

B) Request to Extend and Amend Standing Agreement C002275 with Miller Waste Systems for the Collection of Recyclables from Multi-Dwelling Units (2020-WR-4)

Report #2020-WR-4 from S. Siopis, Commissioner of Works, was received.

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

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

8. Works

8.1 Correspondence

There were no items of correspondence to be considered.

8.2 Reports

A) A By-law to Authorize the Construction of a Watermain and the Imposition of Water Frontage and Connection Charges Upon the Property Owners Abutting Fielding Court, in the Town of Ajax (2020-W-37)

Report #2020-W-37 from S. Siopis, Commissioner of Works, was received.

Staff responded to questions regarding how the connection charges were calculated for both the Fielding Court and Ontoro Boulevard projects, as they were different.

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

That a by-law to authorize construction of a watermain and the imposition of water frontage and connection charges upon the property owners of 15 properties abutting Fielding Court, in the Town of Ajax, generally in the form included in Attachment #1 to Report #2020-W-37 of the Commissioner of Works, be approved.

CARRIED

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

Report #2020-W-38 from S. Siopis, Commissioner of Works, was received.

Discussion ensued regarding the financial implications and whether preferential pricing was received. In response to a question J. Hunt advised that there are two property owners that the Region is currently engaged with regarding unique circumstances.

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

That a by-law generally in the form included as Attachment #1 to Report #2020-W-38 of the Commissioner of Works, to authorize construction of a watermain and the imposition of water frontage and connection charges upon the property owners of 44 properties abutting Range Road, Lake Ridge Road South and Ontoro Boulevard, in the Town of Ajax, be approved.

CARRIED ON THE FOLLOWING
RECORDED VOTE:

Yes

No

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

None

Members Absent: Councillor Marimpietri
Councillor John Neal

Declarations of Interest: None

9. Advisory Committee Resolutions

There were no advisory committee resolutions to be considered.

10. Confidential Matters

10.1 Reports

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

Confidential Report #2020-W-39 from S. Siopis, Commissioner of Works, was received.

Staff responded to questions regarding whether the building located on the land has access to municipal water and sewer; why the facility wasn't connected to the municipal sewer system; and, the status of the well on the property.

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

That the recommendations contained in Confidential Report #2020-W-39 of the Commissioner of Works be adopted.

CARRIED

11. Other Business

There was no other business to be considered.

12. Date of Next Meeting

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

13. Adjournment

Moved by Councillor Smith, Seconded by Councillor Crawford,
(62) That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:37 AM

Respectfully submitted,

D. Mitchell, Chair

S. Penak, Committee Clerk



**The Regional
Municipality of
Durham**

Works Department

Interoffice Memorandum

Date: September 2, 2020

To: Regional Chair Henry and Members of Works Committee

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

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

Subject: Durham Region's Long-Term Waste Management Plan (2021 to 2040) – Resolutions arising from the Energy from Waste-Waste Management Advisory Committee Special Meeting held July 15, 2020

On July 15, 2020, a Special Meeting of the Energy from Waste-Waste Management Advisory Committee (EFW-WMAC) was held to view and discuss a presentation on the development of the new Long-term Waste Management Strategy (Waste Plan) for the Region of Durham (Region). The consultant on the project provided a brief presentation on the draft vision and objectives for the Waste Plan and some of the challenges for the future as identified by Regional and Local Area Municipal staff.

Following the presentation there was a question and answer session. Three resolutions were approved by the EFW-WMAC during the question and answer session. These resolutions are provided below along with additional background and comment regarding how staff have or will address the concerns raised.

Resolution 1

Moved by W. Bracken, Seconded by K. Meydam,

- A) That the EFW-WMAC request that staff review Durham Region's long-term waste management website to ensure all necessary and appropriate information, including but not limited to: Durham's current waste programs; what work is being proposed; any financial costs associated with the project; current and past

tonnage data, as well as future projections; and, any related staff reports is posted and available to the public, and where possible links to the external websites with a summary; and

B) That the Works Committee be informed of the EFW-WMAC request of staff.

Background/Comment

There is a significant amount of information available on the Region's Waste Management webpage (durham.ca/waste). This includes information about the Region's regular programs and projects under development. The project-specific pages for the Durham York Energy Centre (DYEC), the Mixed Waste Pre-sort and Anaerobic Digestion (AD) facilities and the Waste Plan include background Regional Council reports, business cases, studies and other information relevant to the project.

The [Waste Plan webpage](#) provides direct links to the DYEC and AD webpages where information specific to or arising from those projects is available. The [2019 Waste Management Annual Report](#) is located on the Waste Plan webpage and provides an excellent summary of all waste operations and the tonnages collected, including the five-year trend for each major category of waste: Blue Box, Organics, leaf and yard, curbside batteries, household hazardous waste and garbage.

Resolution 2

Moved by K. Meydam, Seconded by W. Bracken,

A) That the EFW-WMAC request an opportunity for the public to comment on Durham Region's guiding principles and primary goals, and how they are consistent with provincial priorities; and

B) That the Works Committee be informed of the EFW-WMAC request.

Background/Comment

Waste staff launched an on-line consultation forum and survey on August 19 (www.DurhamWasteOpenHouse.ca). This consultation forum will continue to be posted on the webpage for the duration of the project. The survey is available until September 30, 2020.

The website introduces the need for a new Waste Plan and describes the draft vision statement for the Waste Plan and the four draft objectives. At the end of the descriptive slides, residents are invited to provide their feedback via an online survey. The survey

includes questions on the guiding principles endorsed by Council in January, the draft vision statement and the four draft objectives. The survey also provides an opportunity to comment and to suggest additional or alternative objectives.

Resolution 3

Moved by W. Bracken, Seconded by K. Meydam,

That we recommend to the Works Committee for approval and subsequent recommendation to Regional Council:

That the EFW-WMAC recommends that there be town hall meetings where the public can provide comments and ask questions of Durham Regional waste staff, and that it include at least one real time question and answer period on the Long-Term Waste Management Plan (LTWMP); and that the town hall meetings occur prior to the Plan outline being developed and presented to the Works Committee and Regional Council.

Background/Comment

Draft Waste Plan Framework Consultation (2020)

Year One of consultation has been designed to share the success of the previous Waste Plan, introduce the development of a new Waste Plan and seek input and feedback on the vision and objectives that will form a draft framework. A Waste Plan website was created in late 2019, with project and material updates posted as available. As well, a dedicated project email WastePlan@durham.ca has been set up for input and inquiries.

The original consultation plan for the Waste Plan development included several in-person consultations, including with Regional Advisory Committees, Local Area Municipality staff and the public, via an open house and several pop-up events throughout the Region. Covid-19 and the need for physical distancing meant the Region had to move the consultation activities planned for 2020 to an online format.

Virtual meetings were conducted with Regional and Local Area Municipal staff and presentations were made to the Durham Region Roundtable on Climate Change, Durham Agricultural Advisory Committee, Durham Environmental Advisory Committee and the Energy from Waste-Waste Management Advisory Committee. After each presentation there was a question and answer period and committee members were

asked to complete an on-line survey after the meeting concluded. To date, staff and committee consultation has engaged more than 100 individuals.

A public consultation forum and survey launched on August 19 and will be open for approximately six weeks until September 30 to allow opportunity for residents to learn about the Waste Plan project and provide input. As of September 1, there have been 88 responses received through this survey. By comparison, traditional, in-person Public Information Centres hosted by Waste staff in the last two years have been attended by approximately 30 to 50 residents per event.

Draft Waste Plan and Five-Year Action Plan Consultation (2021 to early 2022)

In Year Two of the Waste Plan development project, a second phase of consultation is planned with Region staff, committees and local area municipalities, public and other stakeholders. Year Two consultation will focus on gathering comments on the draft Waste Plan and draft Five-Year Action Plan. Depending on COVID-19 physical distancing requirements, the second consultation period will include in-person engagement such as a public open house and pop-up events to allow for personal interaction. Consultation with Region staff, advisory committees and various stakeholders will continue as virtual meetings except where advisory committee meetings are able to provide in-person formats. There will also be an opportunity to engage the public and other stakeholders in a second online consultation forum and survey through www.DurhamWasteOpenHouse.ca.

A Waste Plan 'real-time question and answer event' is being investigated for the second round of consultation to compliment an online consultation forum and survey, should in-person consultation continue to be restricted. This event is recommended for the second phase of consultation once the plan is drafted and more details are available for comment. This type of event is currently outside the project scope and will be at an additional cost of approximately \$30,000 for one event.

End of Memo

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



The Regional Municipality of Durham Report

To: Works Committee
 From: Commissioner of Works
 Report: #2020-W-45
 Date: September 9, 2020

Subject:

Appointment of Risk Management Officials and Risk Management Inspectors as required by the *Clean Water Act, 2006*

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That Regional Council appoint Tavis Nimmo as a Risk Management Official under the *Clean Water Act, 2006, Part IV, Sec. 47(6)*;
- B) That Regional Council appoint Ashley Brettell, Carly Graham and Maureen Bianchet as Risk Management Inspectors under the *Clean Water Act, 2006, Part IV, Sec. 47(6)*;
- C) That the Regional Clerk issue a certificate of appointment bearing the Regional Clerk's signature to the Risk Management Official and Risk Management Inspectors appointed by Regional Council;
- D) That the necessary by-laws be amended to effect these appointments;
- E) That the Regional Clerk circulate this report to Source Protection Authorities with a request to obtain Section 88 Powers of Entry for Regional staff for the purposes of inspection as defined in the *Clean Water Act, 2006*; and
- F) That the Regional Clerk circulate this report to the Clerks of local municipalities and Chairs of the South Georgian Bay Lake Simcoe, Trent Conservation Coalition and Credit Valley Toronto and Region Central Lake Ontario Source Protection Committees.

Report:**1. Purpose**

- 1.1 This report requests Regional Council update appointments of the Risk Management Official and Risk Management Inspectors to allow specific Regional staff to undertake monitoring and enforcement responsibilities delegated by the Province to The Regional Municipality of Durham (Region) as a provider of safe drinking water under the Clean Water Act, 2006.

2. Background

- 2.1 The Region is divided into three source protection regions; the Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Region (CTC), the South Georgian Bay Lake Simcoe Source Protection Region (SGBLS) and the Trent Conservation Coalition Source Protection Region (TCC).
- 2.2 The Clean Water Act, 2006, Part IV c. 22, s. 47 (6) requires municipalities to appoint a Risk Management Official and Risk Management Inspectors.
- a. "The council of a municipality that is responsible for the enforcement of this Part shall appoint a risk management official and such risk management inspectors as are necessary for that purpose."
- 2.3 Ontario Regulation 287/07 Section 54 requires that a risk management official and risk management inspectors have the following qualifications:
- a. For the purposes of Section 53 of the Act, a risk management official or risk management inspector has the prescribed qualifications if he or she has, in the preceding five years, successfully completed a course that meets the following criteria:
- The course includes:
- i. a description of the rules governing the preparation of assessment reports, source protection plans, risk management plans and risk assessments;
 - ii. a description of Part IV of the Act;
 - iii. an overview of procedures before the Environmental Review Tribunal; and
 - iv. a description of the prescribed instruments to which subsection 39 (7) of the Act applies and the way in which they regulate activities that could

be identified in a source protection plan as significant drinking water threats.

- b. In the opinion of the Director, the course provides adequate training for a person appointed as a risk management official or risk management inspector under the Act. O. Reg. 246/10, s. 12.

2.4 The Risk Management Official has the responsibilities set out under the Act which include:

- a. Negotiate/establish interim risk management plans and risk management plans;
- b. Evaluate risk assessments;
- c. Issue orders that specify actions to comply;
- d. Issue notices of failure to comply, including fines similar to Provincial offences
- e. Attend Environmental Review Tribunal hearings;
- f. Annual reporting to Source Protection Committees;
- g. Issue notice for complete applications for Building Code and Planning Act permits and approvals; and
- h. Working with neighbouring municipalities on cross-boundary threats.

2.5 The Risk Management Inspectors will have the responsibilities set out under the Act which include:

- a. Conduct inspections to ensure compliance with Risk Management Plans;
- b. Use powers of entry on properties where drinking water health hazard is suspected;
- c. Issue orders that specify actions to comply;
- d. Attend Environmental Review Tribunal hearings; and
- e. Attend inspections with neighbouring municipalities on cross-boundary threats.

2.6 The staff identified in the recommendations to serve as the risk management official and risk management inspectors are currently members of the Works

Department Environmental Services Branch. These staff members have taken the Ministry of the Environment, Conservation and Parks courses required under the *Clean Water Act, 2006*, regulations and have the relevant professional expertise to carry out the risk management function.

3. Conclusion

- 3.1 Risk management approaches specified in Part IV of the Clean Water Act, 2006 are one of the tools used in the implementation of Source Protection Plans. To implement the Source Protection Plan and remain in compliance with the Clean Water Act, 2006, the appointment of the Risk Management Official and Risk Management Inspectors by Regional Council is required.
- 3.2 For additional information, please contact Greg Lymer, Manager of Technical Support at 905-668-7711, extension 3500.

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: #2020-W-40
Date: September 9, 2020

Subject:

Servicing Agreement with Lazy Dolphin Development Inc. Including Cost Sharing in Accordance with the Regional Municipality of Durham's Share Policy for Regional Services, Related to the Extension and Oversizing of a Sanitary Sewer and the Extension of a Watermain on Coronation Road, in the Town of Whitby

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 Lazy Dolphin Development Inc. including cost sharing in accordance with the Regional Municipality of Durham's Share Policy for Regional Services, related to the extension and oversizing of a sanitary sewer and the extension of a watermain on Coronation Road, in the Town of Whitby, at an estimated cost of \$958,800;
- B) Financing for the servicing agreement be provided from the following sources:

Developer's Share

Lazy Dolphin Development Inc.	\$531,100
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Regional Costs

2020 Sanitary Sewerage System

Item #129 – Allowance for Regional share for works in conjunction with residential development (M2010)

Residential Development Charge Reserve Fund	\$149,900
Commercial Development Charge Reserve Fund	9,300
User Rate	<u>43,900</u>
Total Regional Sanitary Sewerage Costs	\$203,100

2020 Water Supply System

Item #231 – Allowance for Regional share for works in conjunction with residential development (M2010)

Residential Development Charge Reserve Fund	\$196,800
Commercial Development Charge Reserve Fund	4,900
User Rate	<u>22,900</u>
Total Regional Water Supply Costs	<u>\$224,600</u>
Total Regional Costs	<u>\$427,700</u>
Total Project Financing	<u>\$958,800</u>

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

Report:

1. Purpose

- 1.1 The purpose of this report is to seek approval to enter into a servicing agreement with Lazy Dolphin Development Inc. including cost sharing in accordance with the Regional Municipality of Durham's (Region) Share Policy for Regional Services, related to the construction of a proposed sanitary sewer and watermain along Coronation Road, in the Town of Whitby, as shown on Attachment #1.

2. Background

- 2.1 Lazy Dolphin Development Inc. is developing their plan of subdivision over several phases. As part of the work, construction must be completed within Coronation Road. Lazy Dolphin had planned to complete these works as part of their upcoming Phase 4 subdivision agreement, however, they have since asked to

complete these works separately via a servicing agreement. If these works had been completed within a subdivision agreement, staff have standing authority to cost share in keeping with the Region's Share Policy. Staff have no such standing authority to cost share in this manner through a servicing agreement and, therefore, Council approval is required.

3. Regional Infrastructure

- 3.1 Along the length of Coronation Road, the sanitary sewer increases in size from a 200 millimetre (mm) diameter at the upstream end, to a 250 mm diameter, and then to a 300 mm diameter at the downstream end. The watermain proposed is a 300 mm diameter along the entire length. These pipes are all sized to accommodate the future development on the opposite side of Coronation Road.
- 3.2 The Region's Share Policy for Regional Services generally requires the developer to pay for the works required to service the subject development. The Region is responsible to pay for the balance of the cost. In this case, Lazy Dolphin would be responsible to pay 50 per cent of the 300 mm diameter watermain and 50 per cent of the 200 mm sanitary sewer (the minimum sizes required by Lazy Dolphin) and the Region is responsible for the other 50 per cent. The Region is also responsible for the over sizing of the sanitary sewer for the lengths of 250 mm and 300 mm diameter.
- 3.3 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.

4. Financial Implications

- 4.1 Staff has estimated the costing of the project at \$958,800 as follows:

Developer's Share

Lazy Dolphin Development Inc.	\$531,100
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Regional Costs

2020 Sanitary Sewerage System

Item #129 – Allowance for Regional share for works in conjunction with residential development (M2010)

Residential Development Charge Reserve Fund	\$149,900
Commercial Development Charge Reserve Fund	\$9,300
User Rate	<u>\$43,900</u>
Total Regional Sanitary Sewerage Costs	\$203,100

2020 Water Supply System

Item #231 – Allowance for Regional share for works in conjunction with residential development (M2010)

Residential Development Charge Reserve Fund	\$196,800
Commercial Development Charge Reserve Fund	\$4,900
User Rate	<u>\$22,900</u>
Total Regional Water Supply Costs	\$224,600
Total Regional Costs	\$427,700
Total Project Financing	<u>\$958,800</u>

5. Conclusion

- 5.1 It is recommended that the Regional Municipality of Durham enter into a servicing agreement with Lazy Dolphin Development Inc. containing the foregoing provisions.
- 5.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendation.

5.3 For additional information, please contact Paul Gillespie, Manager - Development Approvals, at 905-668-7711, extension 3443.

6. Attachments

Attachment #1: Location Plan – Lazy Dolphin Development Inc., in the Town of Whitby

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



Location Map

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: 2020-W-41
Date: September 9, 2020

Subject:

Sole Source Supply, Delivery and Service of Vactor Brand Truck Mounted Sewer Jets

Recommendation:

THAT the Works Committee recommends to Regional Council:

- A) That the Vactor Brand truck mounted sewer jet unit continue to be adopted as the standard for The Regional Municipality of Durham until December 31, 2023, with the option to extend for two additional one-year terms;
 - B) That Joe Johnson Equipment Inc. be approved as the sole source supplier for the Vactor Brand sewer jets, previously approved as The Regional Municipality of Durham's standard for truck mounted sewer jets for the period of January 1, 2020, to December 31, 2023, with the option to extend for two additional one-year terms; and,
 - C) That the Finance Department be authorized to negotiate with Joe Johnson Equipment Inc., for the sole source supply, customization and delivery of all Vactor Brand truck mounted sewer jet units as well as parts and servicing of the units from September 30, 2020 to December 31, 2023 with the option to extend for two additional one-year terms.
-

Report:

1. Purpose

- 1.1 This report seeks authorization to extend the adoption of the truck mounted Vactor Brand of sewer jets as The Regional Municipality of Durham's (Region) standard

and to approve Joe Johnson Equipment Inc. as the sole source supplier for this Brand, including parts and service, for the period of January 1, 2020, to December 31, 2023, with the option to extend for two additional one-year terms.

2. Justification for Sole Sourcing

- 2.1 Works Committee Report #2012-W-35 (Attachment #1) adopted the Vactor Brand truck mounted sewer jet as the Region's standard for this type of equipment. Standardization to this Brand has resulted in efficiencies related to operator safety and training, parts supply, equipment downtime and equipment maintenance.
- 2.2 Report #2012-W-35 also authorized the Finance Department to negotiate with Joe Johnson Equipment Inc., the sole Vactor Brand distributor for these purchases. Joe Johnson Equipment Inc. located just south of Barrie, Ontario, is the only Vactor brand dealer in Ontario. It is recommended that the dealer be within an easily accessible distance for warranty repair work.
- 2.3 No Vactor Brand truck mounted sewer jets were required to be purchased by the Region between 2014 and 2019.

3. Financial Implications

Purchasing By-law 68-2000

- 3.1 Section 7.2 of the Region's Purchasing By-law requires Regional Council approval for any sole source purchases exceeding \$100,000 in value where there is only one known source of supply.
- 3.2 Joe Johnston Equipment Inc. is the only Vactor Brand dealer in Ontario. Prior negotiations (N-808-2011) between the Finance Department and Joe Johnson Equipment Inc. for the Vactor Brand sewer jet were performed successfully, referencing the Works Department's requirements and fleet specifications.

Financing

- 3.3 The current year negotiated price per unit based on the required specification and options is \$580,000 and will not exceed the Council approved funding of \$1,740,000 approved in the 2019 Works General Tax Budget, for the replacement of three units.

4. Conclusion

- 4.1 It is recommended that the Vactor Brand truck mounted sewer jet unit continue to be adopted as the standard for The Regional Municipality of Durham until December 31, 2023, with the option to extend for another two one-year terms.
- 4.2 It is also recommended that the Finance Department be authorized to negotiate with Joe Johnson Equipment Inc., the sole Vactor distributor in Ontario, for the supply and delivery of any required truck mounted sewer jet units, as manufactured by Vactor, as well as parts and servicing of the units for the period of January 1, 2020, to December 31, 2023 with the option to extend for another two one-year term.
- 4.3 For additional information, contact: John Hrynysak, Fleet Superintendent, 905-655-3340, extension 6550 or Eric Lamain Manager, Maintenance Operations and Fleet 905-668-2051 extension 3534.
- 4.4 This report has been reviewed by the Finance Department.

5. Attachments

Attachment #1: Works Committee Report #2012-W-35

Attachment #2: Correspondence dated August 17, 2020 from Federal Signal Environmental Solutions

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



The Regional Municipality of Durham
To: The Works Committee
From: Commissioner of Works
Report: 2012-W-35
Date: March 21, 2012

SUBJECT:

Sole Source Supply and Delivery of Vactor Brand Truck Mounted Sewer Jets

RECOMMENDATIONS:

THAT subject to the approval of the Finance and Administration Committee, the Works Committee recommends to Regional Council that:

- a) Joe Johnson Equipment Inc. be approved as the sole source supplier for the Vactor brand sewer jet, previously approved as The Regional Municipality of Durham's standard for truck mounted sewer jets, for the period of January 1, 2012, to December 31, 2014, subject to the budget approval for financing;
 - b) The Finance Department be authorized to negotiation with Joe Johnson Equipment Inc., for the sole source supply, customization and delivery of one Vactor brand truck mounted sewer jet at a cost not to exceed \$410,000, to be financed from with the 2012 Works General Tax, Tangible Capital Assets – Replacement Budget, and,
 - c) The Vactor truck mounted sewer jet unit continues to be adopted as the standard for The Regional Municipality of Durham until December 31, 2014.
-

REPORT:

Attachment No. 1: Works Committee Report 2003-W-68

1. PURPOSE

This report seeks authorization to extend the adoption of the truck mounted Vactor brand of sewer jet as The Regional Municipality of Durham's (Region) standard as recommended in Works Committee Report 2003-W-68 (Attachment No. 1), and to approve Joe Johnson Equipment Inc. as the sole source supplier for the Vactor brand sewer jet for the period of January 1, 2012, to December 31, 2014, subject to the budget approval for financing.

2. JUSTIFICATION FOR SOLE SOURCING

Works Committee Report 2003-W-68 (Attachment No. 1) adopted the Vactor brand of truck mounted sewer jet as the Region's standard for this type of equipment. Standardization to this brand and model has resulted in efficiencies related to operator safety and training, parts supply, equipment downtime and equipment maintenance. The report also authorized the Finance Department to negotiate with Joe Johnson Equipment Inc., the sole Vactor brand distributor for these purchases. Joe Johnson Equipment Inc., located just south of Barrie, Ontario, is the only Vactor brand dealer in Ontario. It is recommended that the dealer be within an easily accommodated distance for warranty repair work.

Upon expiry of the initial approved term, staff will research the market to re-evaluate the sole source requirement.

3. FINANCIAL IMPLICATIONS

3.1 Purchasing By-law 68-2000

Section 8.1.1 of the Region's Purchasing By-law requires Regional Council approval for any sole source purchases exceeding \$125,000 in value where there is only one known source of supply.

Joe Johnston Equipment Inc. is the only Vactor brand dealer in Ontario. Prior year negotiations (N-808-2011) between the Finance Department and Joe Johnson Equipment Inc. for the Vactor brand sewer jet were performed successfully, referencing the Works Department's requirements and fleet specifications.

3.2 Financing

The current year negotiated price for this unit based on the required specification and options will not exceed the Council approved funding of \$410,000 approved in the 2012 Works General Tax, Tangible Capital Assets – Replacement Budget, net of an optional trade in allowance for the replacement unit.

4. CONCLUSION

It is recommended that the Finance Department be authorized to negotiate with Joe Johnson Equipment Inc, the sole Vactor distributor in Ontario, for the supply and delivery of any required truck mounted sewer jet units, as manufactured by Vactor, for the period of January 1, 2012, to December 31, 2014, subject to the budget approval for financing. It is also recommended that the Vactor truck mounted sewer jet unit continue to be adopted as the standard for The Regional Municipality of Durham until December 31, 2014.

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

Original signed by:

Clifford Curtis, P. Eng., MBA,
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

G. H. Cubitt, M.S.W.,
Chief Administrative Officer

MO1/em

ELGIN

VACTOR

GUZZLER

JETSTREAM

August 17, 2020

To Whom It May Concern:

Please be advised that

FST Canada Inc. o/a Joe Johnson Equipment
2521 Bowman Street
Innisfil, Ontario
Canada L9S 3V6

is the **sole authorized distributor** for Vactor® Manufacturing Inc sales,
parts and service for the entire province of Ontario.

Please feel free to contact me if you have any questions.

Regards,

Vactor® Manufacturing, Inc



Chris Cottingham
Inside Sales Manager

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: #2020-W-42
Date: September 9, 2020

Subject:

Declaration as Surplus and Approval to Dispose of Lands Located at 686 North Street, in the Municipality of Clarington

Recommendation:

That Works Committee recommends to Regional Council:

- A) That property, legally described as Part Lot 29, Concession 2 Clarke (Newcastle) Part 1 on 10R97; Together with N158217 in the Regional Municipality of Durham, Municipality of Clarington, and known Municipally as 686 North Street, be declared surplus to Regional needs;
 - B) That Regional staff be granted authority to sell the lands described in Recommendation A for fair market value by methods described in Section 3 of this report; and
 - C) That authority be granted to the Commissioner of Works to execute any documents necessary to complete the sale.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to declare land owned by the Regional Municipality of Durham (Region) surplus to the Region's requirements (Attachment #1) and to sell the land for fair market value.

2. Background

- 2.1 The 1,696 square metre (0.42 acre) property was acquired by the Region on December 20, 1989 and was used as a well site providing water to neighboring properties. Municipal water services have been extended to the area and the well has been decommissioned. The Region has no future plans for the property.
- 2.2 A solicitor representing two of the four adjacent properties (identified in Attachment #1) contacted the Region requesting to purchase the property. An internal circulation was completed with no objection to selling the property at fair market value. As per the Region's practice, each of the abutting property owners were sent a letter informing them the Region would be declaring the land surplus and selling the property at fair market value and requested any interested parties respond by July 28, 2020.
- 2.3 A third adjacent owner has also contacted Regional staff expressing interest in purchasing the surplus lands.

3. Property Disposition

- 3.1 The property is located between Monroe Street and Concession Road 3 on the west side of North Street in the community of Newcastle. The property does not have direct road frontage but does have legal access to North Street over a 25 foot Right of Way easement that traverses the neighboring property to the north.
- 3.2 Given the multiple interested parties, Regional staff discussed potential methods of offering the parcel for sale. Staff also contacted other municipalities for their best practices. Based on this review, staff propose that an Offer to Sell agreement be drafted, stating Regional standard terms and conditions. This offer would be presented to the interested parties confidentially. Fair market value, established through an appraisal prepared by Regional staff, would be provided as part of the package circulated to the interested parties, with a time frame for response. If one or multiple offers are received at or above the estimated fair market value, the property will be sold to party submitting the highest valued offer.
- 3.3 If the Region receives no offers at or above fair market value, the property will be listed for sale on an external website with Regional staff as the contact for any interested party. Regional staff will then negotiate an agreement at fair market value using Regional forms including standard terms with any interested parties.

4. Conclusion

- 4.1 Regional staff recommends that Part Lot 29, Concession 2 Clarke (Newcastle) Part 1 on 10R97; Together with N158217 in the Regional Municipality of Durham, Municipality of Clarington, known Municipally as 686 North Street, be declared surplus to Regional needs and the land be sold at fair market value.
- 4.2 This report has been reviewed by the Legal Services Division of the Corporate Services Department.
- 4.3 For additional information, please contact Jenni Demanuele, Director of Business Services, at 905-668-4113, extension 3456.

5. Attachments

Attachment #1: Location Map – 686 North Street, Municipality of Clarington

Respectfully submitted,

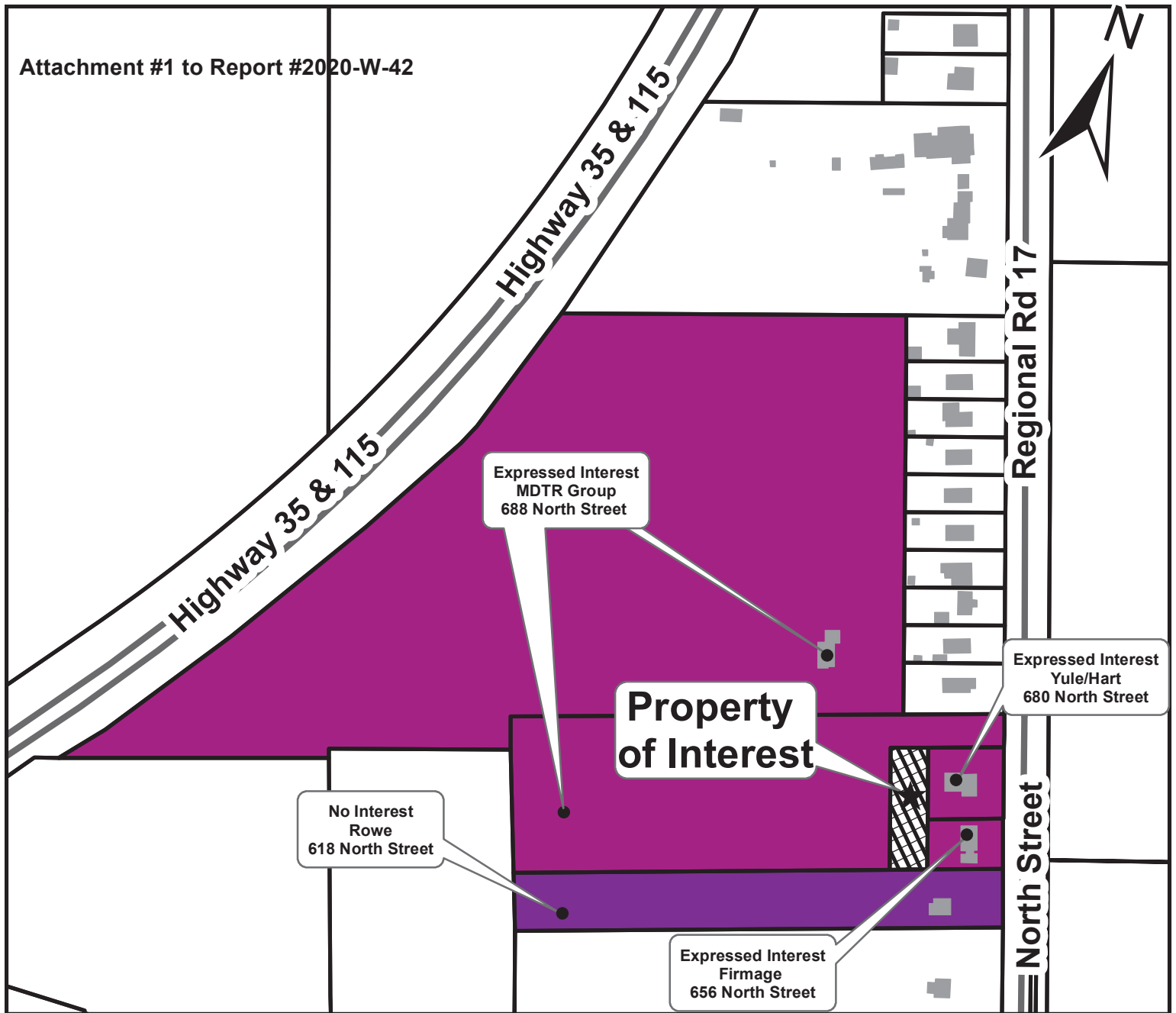
Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer



Attachment #1 - Location Map

686 North Street

Municipality of Clarington



Expressed Interest

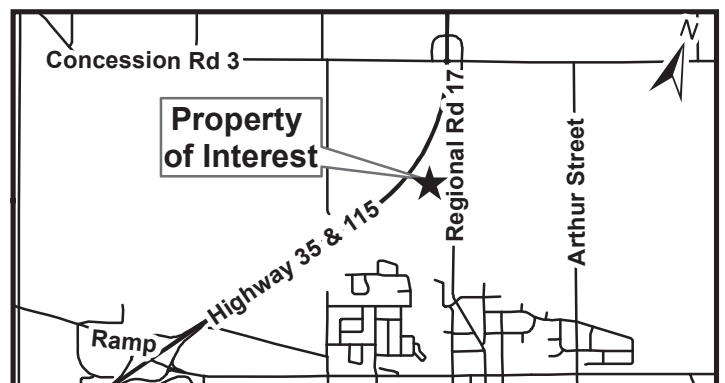
- Firmage - 656 North Street
- Yule/Hart - 680 North Street
- MDTR Group - 688 North Street

No Interest

- Rowe - 618 North Street

Property of Interest

- 686 North Street
- Building Footprints



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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: #2020-W-43
Date: September 9, 2020

Subject:

Proposed Regional Front-Ending Agreement for the Municipal Class Environmental Assessment Study for the Re-alignment of Regional Road 17 in North Village, Newcastle, in the Municipality of Clarington

Recommendation:

That the Works Committee recommends to Regional Council:

- A) That the Regional Municipality of Durham be authorized to execute a Front-Ending Agreement with the North Village Landowners Group Inc. for the Municipal Class Environmental Assessment Study (EA) for Regional Road 17 in North Village, Newcastle, in the Municipality of Clarington, at an estimated cost of \$500,000, including the following conditions:
- i) The North Village Landowners Group Inc. will front-end the entire cost of the Municipal Class Environmental Assessment Study in exchange for the applicable Regional Road Development Charge credits at the rates in effect at the time of payment based on the following splits;

Roads Development Charges	\$	%
Residential Development Charges	350,000	70
Commercial Development Charges	40,000	8
Industrial Development Charges	100,000	20

Institutional Development Charges	10,000	2
Total	500,000	100%

- ii) Given that there is not any anticipated industrial development on the lands to be developed by North Village Landowners Group Inc. and thus no opportunity for the landowners group to recover the industrial development component, it is recommended that the Region fund the industrial development charge component (i.e. 20%) of the cost of the EA from the Regional Roads Industrial Development Charge Reserve Fund, upon completion of the EA;
 - iii) The North Village Landowners Group Inc. will appoint a Trustee as the Regional Municipality of Durham's sole point of contact with the North Village Landowners Group Inc.;
 - iv) The North Village Landowners Group Inc. will provide a security in the amount of 100 per cent of the estimated cost of the Municipal Class Environmental Assessment Study which will be released upon receipt of the completed Municipal Class Environmental Assessment Study; and
 - v) All financial commitments will be based on actual costs.
- B) That the Regional Municipality of Durham and the Municipality of Clarington be co-proponents of the Municipal Class Environmental Assessment Study and the Municipality of Clarington manage the procurement of the EA Study as the information required to complete the Secondary Plan (being undertaken by the Municipality of Clarington) is needed to conduct the EA; and
- C) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements required to undertake the EA Study.

Report:

1. Purpose

- 1.1 The purpose of this report is to seek authorization for the Regional Chair and Clerk to execute a front-ending agreement with the North Village Landowners Group Inc. (NVLG) for a Municipal Class Environmental Assessment Study (EA) for the re-alignment of Regional Road 17 in the Municipality of Clarington (Clarington).

1.2 The NVLG is comprised of:

Go Home Investments Inc.
Brookfield Residential (Ontario) Limited
Smooth Run Developments Inc.

2. Background

- 2.1 The North Village Development Area (Attachment #1) has been planned as one of the Regional Municipality of Durham's (Region) urban expansion areas. The Municipality of Clarington is currently conducting the Secondary Plan process.
- 2.2 The Ministry of Transportation (MTO) has long been on record that realigning Regional Road 17 eastward to move its intersection with Concession Road 3 farther from Highway 35/115 is necessary to facilitate development in the North Village Lands. The existing location of the intersection does not meet the MTO separation requirements from the Highway 35/115 interchange, and the increased traffic generated by the development will cause traffic safety and operations problems. The Region agrees that the Regional Road 17 realignment is necessary.
- 2.3 This realignment requires an EA and this EA has been included as a Regional Road DC project in the current DC By-law (#28-2018). It is important to note that the construction of this realignment is not yet identified as a DC project because depending on the outcome of the EA, the project may not increase capacity in the road network. In the 2020 Capital Budget and nine-year forecast, the EA is forecast in 2028.
- 2.4 The Municipality of Clarington's Secondary Plan process cannot be completed without knowing the location of the proposed re-aligned Regional Road 17. That along with the fact that much of the same information required to complete the Secondary Plan is also needed to conduct the EA, suggests that the Region and the Municipality of Clarington should be co-proponents of the EA and that the EA should proceed in parallel with the Secondary Plan.
- 2.5 The NVLG has approached the Region with a proposal to advance this timeline and front-end finance the EA cost for the Regional Road 17 re-alignment (Attachment #2) with the Region and Clarington acting as the co-proponents.

3. The Front-Ending Agreement

- 3.1 A front ending agreement will be required with the NVLG to facilitate their request.
- 3.2 As Clarington will be a co-proponent in the EA, there are also several items for which the Region has discussed and reached consensus with Clarington, as follows:
- a) Clarington will tender the EA assignment using their public procurement processes.
 - b) The Region and Clarington will form a joint review and consultant selection committee to review and award the EA assignment. Clarington will enter into a consulting agreement with the selected consultant.
 - c) Clarington will pay the invoices of the consultant and recover the costs directly from the NVLG through their existing Secondary Plan Agreement with the NVLG.
 - d) Clarington will seek concurrence with the Region before agreeing to any change orders or extras to the consulting assignment.
- 3.3 Specific principles of the front ending agreement between the Region and the NVLG are proposed as follows:
- a) The NVLG will front-end the entire cost of the EA in exchange for the applicable Regional Road DC credits at the rates in effect at the time of payment.
 - b) The Region and Clarington will be co-proponents of the EA.
 - c) The NVLG will appoint a Trustee as the Region's sole point of contact with the NVLG.
 - d) Prior to the initiation of the EA, the Region will provide to the Trustee the upset limit of the consultant assignment and will provide the Trustee individual approvals of all change orders or extras which impact this upset limit.
 - e) The Trustee will track Regional Road DC credits accrued as invoices are paid and provide proof of same to the Region's satisfaction up to the upset limit (as revised).
 - f) The Trustee will instruct the Region in writing as to how and when to distribute accrued Regional Road DC credits to the individual members of the NVLG when

required and prior to the Region entering into any subdivision agreements with the members of the NVLG.

- g) The Trustee will keep an ongoing accounting of credits earned and distributed to the Region's satisfaction.
- h) The NVLG will provide a security in the amount of 100 per cent of the estimated cost of the EA. This security will be released upon receipt of the completed Municipal Class Environmental Assessment Study.

4. Financial Implications

- 4.1 The estimated cost of this EA assignment is \$500,000 and is entirely DC funded as follows:

Roads Development Charges	\$	%
Residential Development Charges	350,000	70
Commercial Development Charges	40,000	8
Industrial Development Charges	100,000	20
Institutional Development Charges	10,000	2
Total	500,000	100%

- 4.2 The NVLG will front-end the entire cost of the EA Study in exchange for Regional Road Development Charge Credits at the rate in effect at the time of payment. Given that industrial development is not anticipated on the North Village Lands and thus no opportunity for the landowners to recover the industrial development charge component, the Region will fund 20% (i.e. the industrial development charge component) of the cost of the EA from the Regional Roads Industrial Development Charge Reserve Fund upon completion of the EA.
- 4.3 The EA Study project is in the Region's Development Charge Study and therefore it is the Region that will enter into a front-ending agreement with the NVLG to provide the applicable development charge credits. Although a Regional Road, it is recommended that the Municipality of Clarington manage the procurement of the EA as the information required to complete the Secondary Plan (being undertaken by the Municipality of Clarington) is needed to conduct the EA. Both

the Regional Municipality of Durham and Municipality of Clarington will be co-proponents of the Municipal Class Environmental Assessment Study.

- 4.4 The Region's interests will be protected by a 100 per cent security posted by the NVLG.
- 4.5 Based on these principles for a front-ending agreement, the Region will be in compliance with Section 59.1 (1) of the Development Charges Act which prohibits a municipality from imposing, directly or indirectly, a charge related to a development or a requirement to construct a service related to a development except as permitted by the Development Charges Act or another Act.

5. Conclusion

- 5.1 It is recommended that the Regional Chair and Clerk be authorized to execute a front-ending agreement with the North Village Landowners Group in order to complete the Municipal Class Environmental Assessment Study for the re-alignment of Regional Road 17, based on the principles outlined in this report.
- 5.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the financial recommendation.
- 5.3 For additional information, please contact Charlotte Pattee, Project Engineer, Development Approvals, at 905-668-7711, extension 3435.

6. Attachments

Attachment #1: Map of North Village Development Area

Attachment #2: Correspondence from North Village Landowners Group

Respectfully submitted,

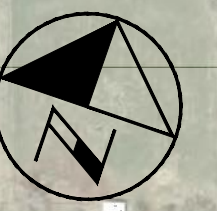
Original signed by:

Susan Siopis, P.Eng.
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



CONCESSION ROAD 3

POTENTIAL REALIGNMENT
OF REGIONAL ROAD 17

North Village
Secondary Plan
Area

REGIONAL ROAD 17

ARTHUR STREET

Additional
Study Area

Existing Draft
Approved Subdivisions

HIGHWAY 35 / 115

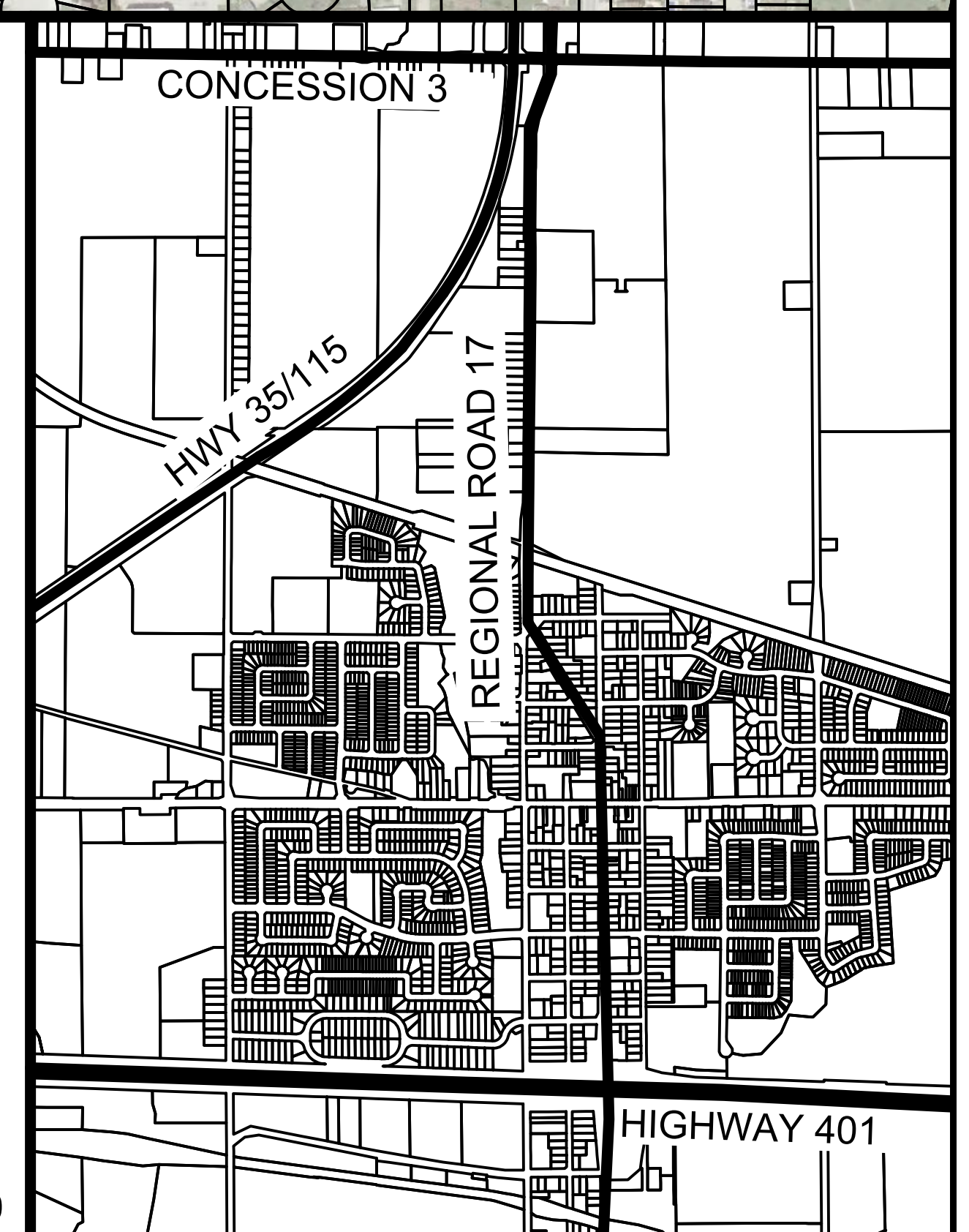
CANADIAN PACIFIC RAILWAY

Attachment #1: REGIONAL ROAD 17 REALIGNMENT



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SCALE 1:3500



Attachment #2 to Report #2020-W-43

August 6, 2020

Regional Municipality of Durham Works Department
Development Approvals Division
605 Rossland Rd. East, 4th Floor
Whitby, ON L1N 6A3

Attention: Mr. Jeff Almeida

Dear Mr. Almeida:

**Re: Municipal Class Environmental Assessment Study
for Regional Road 17 (North Street)
Integrated Approach EA
North Village, Newcastle
Municipality of Clarington
Our Project No. E18063**

On behalf of the North Village Landowners Group Inc. (NVLG), we write further to recent discussions regarding the Municipal Class Environmental Assessment (MCEA) Study for Regional Road 17 in North Village, Newcastle.

As discussed at the June 16, 2020 conference call and per your e-mail of July 6, 2020, we would like to proceed with the MCEA Study for Regional Road 17 in North Village, Newcastle. This MCEA will be based on the scope of work agreed with Durham Region in December 2019, with the Municipality of Clarington and Durham Region as co-proponents.

It is understood that the Region will seek Council approval to execute a separate Development Charge Credit agreement with the NVLG which would outline that the Region will provide Regional Road Development Charge credits equivalent to the cost of the MCEA.

To facilitate this process and to initiate Regional Council authorization of the above outlined process, please consider this a formal request on behalf of the NVLG to front end the cost of the MCEA Study in exchange for Regional Road Development Charge credits.



Page 2
August 6, 2020
Regional Municipality of Durham
Mr. Jeff Almeida

Attachment #2 to Report #2020-W-43

We trust that our letter has accurately summarized the recent RR17 MCEA Study discussion and provides the necessary documentation to proceed to obtain Regional Council endorsement. Please do not hesitate to contact the undersigned if any further information is required.

Yours truly,

CANDEVCON EAST LIMITED



Scott Waterhouse, RPP
Planning Manager, Land Development

SW/br

Encl.

cc: North Village Landowners Group, Attn: Ms. Jennifer Haslett, Mr. Paolo Sacilotto
Municipality of Clarington, Attn: Mr. Carlos Salazar, Ms. Karen Richardson,
Mr. Paul Wirch
Durham Region Works Department, Attn: Mr. Steve Mayhew,
Mr. Doug Robertson, Mr. Paul Gillespie

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: #2020-W-44
Date: September 9, 2020

Subject:

Approval of Additional Capital Financing for Newcastle Water Supply Plant and Port of Newcastle Sanitary Sewage Pumping Station, in the Municipality of Clarington, for Regional Municipality of Durham Contract D2020-35

Recommendation:

That Works Committee recommends to Regional Council:

- A) That the low compliant bid of North America Construction (1993) Ltd., in the amount of \$49,512,851* be awarded for Regional Municipality of Durham Contract D2020-35;
- B) That the additional commitments to R.V. Anderson Associates Limited be approved for costs associated with engineering services in the amount of \$1,529,675*, over the approved upset limit of \$3,652,958* (RC #00001225) with a revised upset limit not the not to exceed \$ 5,182,633*;
- C) That the total project budget for Region of Durham Contract D2020-35 be increased by \$8,727,000, for a revised project budget of \$64,267,000, financed as noted in the following table:

	Residential DC	Commercial DC	Industrial DC	Institutional DC	Debt	User Rate	Treatment Plant/Rate Stabilization Reserve Fund	Total
Water Supply Capital Budget Project D1107	\$23,652,780	\$2,845,680	\$1,400,000	-	\$17,580,192	\$6,661,348	\$2,000,000	\$54,140,000
Sanitary Sewerage Capital Budget Project D1411	1,040,200	81,200	248,300	-	-	30,300	-	1,400,000
Total Approved Financing	24,692,980	2,926,880	1,648,300	-	17,580,192	6,691,648	2,000,000	55,540,000
Additional Water Supply Financing	3,639,159	366,534	1,684,311	\$26,181	-	3,010,815	-	8,727,000
Total Revised Financing	\$28,332,139	\$3,293,414	\$3,332,611	\$26,181	\$17,580,192	\$9,702,463	\$2,000,000	\$64,267,000

- D) That the additional water supply user rate financing be drawn from any available 2020 water supply user rate surplus or the water supply treatment plant/rate stabilization reserve fund, at the discretion of the Commissioner of Finance; and
- E) That the Commissioner of Finance be authorized to execute the associated amendment to the existing engineering services agreement.

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain approval for additional capital financing for Newcastle Water Supply Plant (WSP) and Port of Newcastle Sanitary Sewage Pumping Station (SSPS), in the Municipality of Clarington and award Regional Municipality of Durham Contract D2020-35. In addition, engineering services for contract administration, SCADA, Health and Safety and geotechnical services are required for project construction.
- 1.2 Dollar amounts followed by asterisk (*) are including disbursements and before applicable taxes.

2. Background

- 2.1 A Class Environmental Assessment was completed to expand the Newcastle Water Supply Plant in 2005. The expansion will increase the plant capacity to 16.4 MLD from 8.2 MLD.
- 2.2 An amendment to the Class Environmental Assessment was completed in 2016, since the period for implementation expired for the original 2005 Environmental Assessment Report. The Environmental Assessment amendment confirmed the recommended solution to construct a new facility on the west side of the existing plant to provide additional capacity for the Newcastle Urban Area.
- 2.3 The project will involve the construction of a new water supply plant facility to accommodate a new treatment process using dissolved air filtration and replace the existing infrastructure which has reached the end of its useful life and is not compatible with the new facility.
- 2.4 The water supply plant expansion will include a new sanitary sewage pumping station to service the water supply plant and the Port of Newcastle service area.
- 2.5 Based on the recent tender pricing, an increase to the project budget is required for the water supply plant component. The project costs have increased by \$8,727,000 in the following areas, detailed in this report:

Tender Costs	\$6,512,850
Engineering Services	1,529,675
Regional Costs	<u>684,475</u>
Total Additional Project Costs	\$8,727,000

3. Tender Information

- 3.1 Tenders were received for Regional Contract D2020-35 for Newcastle WSP and Port of Newcastle SSPS, in the Municipality of Clarington, on July 17, 2020, as follows:

Bidder	Total Tender Amount*
North America Construction (1993) Ltd.	\$49,512,851
Kenaidan Contracting Ltd.	\$50,683,200
Maple Reinders Constructors Ltd.	\$54,543,700

3.2 The bid submission documents provided by the lowest compliant bidder, North America Construction (1993) Ltd., were reviewed and based on their bid submission, additional financing of \$6,512,850 is required for the WSP and SSPS construction contract.

3.3 The increased bid price is attributable to additional costs for project requirements during the detailed design, COVID protocols, project duration, earthworks, concrete, utilities, marine works, electrical equipment and industry market conditions related to large infrastructure projects, attributed to the following tender items (values approximate):

- General Items \$0.9 million
- Concrete \$2.1 million
- Plumbing and Electrical \$0.8 million
- Earthworks \$1.3 million
- Utilities and Marine Work \$1.4 million

4. Professional Engineering Services

4.1 Based on the project requirements, additional professional engineering services include detailed design, geotechnical engineering, health and safety commissioning, SCADA engineering services and contract administration. These costs are estimated at \$1,529,675* as follows:

- Geotechnical Services and Inspection \$195,360
- SCADA Contract Administration and programming \$127,630
- Pre-Start Health and Safety and Fixed Access
Ladder Report \$29,825
- Contract Administration \$546,435
- Detailed Design and Tendering \$21,235
- Site Inspection \$609,190

- 4.2 The proposed engineering services will be provided by R.V. Anderson Associates Limited (RVA) and sub-consultants. The existing upset limit for engineering services with RVA will increase by \$1,529,675* to a revised upset limit of \$5,182,633*.

5. Region of Durham Project Costs

- 5.1 The additional Regional project costs are estimated as follows:

Contract Administration and Engineering	\$180,514
Other Administration and Sundry	78,457
Permits	64,475
Contingency	<u>361,029</u>
Total Regional Costs	\$684,475

6. Financial Implications

- 6.1 Section 15.3 of the Budget Management Policy requires approval of the applicable Standing Committee and Regional Council to approve project financing in excess of \$250,000 prior to the award of the applicable contract.
- 6.2 Section 17.1 of the Budget Management Policy requires approval of the applicable Standing Committee and Regional Council for additional project commitments where the value of the work will cause the project to be over expended by more that \$250,000.
- 6.3 The revised total project budget increase for the construction of the Newcastle WSP and Port of Newcastle SSPS, in the Municipality of Clarington totalling \$8,727,000 includes detailed design, construction, contract administration, inspection and contingencies.

6.4 Overall project financing for work under contract D2020-35 available from the following sources:

	Residential DC	Commercial DC	Industrial DC	Institutional DC	Debt	User Rate	Treatment Plant/Rate Stabilization Reserve Fund	Total
Water Supply Capital Budget Project D1107	\$23,652,780	\$2,845,680	\$1,400,000	-	\$17,580,192	\$6,661,348	\$2,000,000	\$54,140,000
Sanitary Sewerage Capital Budget Project D1411	1,040,200	81,200	248,300	-	-	30,300	-	1,400,000
Total Approved Financing	24,692,980	2,926,880	1,648,300	-	17,580,192	6,691,648	2,000,000	55,540,000
Additional Water Supply Financing	3,639,159	366,534	1,684,311	\$26,181	-	3,010,815	-	8,727,000
Total Revised Financing	\$28,332,139	\$3,293,414	\$3,332,611	\$26,181	\$17,580,192	\$9,702,463	\$2,000,000	\$64,267,000

6.5 There is sufficient financing in the water supply Development Charges reserve funds to cover the additional costs. It is proposed that the additional water supply user rate financing be drawn from any available 2020 water supply user rate surplus or the water supply treatment plant/rate stabilization reserve fund, at the discretion of the Commissioner of Finance.

7. Conclusion

7.1 It is proposed that the additional funding required for the total water supply component project of \$8,727,000 be approved, with the user rate share subject to the approval and discretion by the Commissioner of Finance.

7.2 This report has been reviewed by the Finance Department and the Commissioner of Finance concurs with the proposed recommendations.

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

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

Resolutions from Advisory Committees

Energy From Waste – Waste Management Advisory Committee

1. Resolution re: Additional Town Hall Meetings on the LTWMP

That we recommend to the Works Committee for approval and subsequent recommendation to Regional Council:

That the EFW-WMAC recommends that there be town hall meetings where the public can provide comments and ask questions of Durham Regional waste staff, and that it include at least one real time question and answer period on the Long-Term Waste Management Plan (LTWMP); and that the town hall meetings occur prior to the Plan outline being developed and presented to the Works Committee and Regional Council.

For Information Only

1. Resolution re: Availability of Information to the Public

Moved by W. Bracken, Seconded by K. Meydam,

- A) That the EFW-WMAC request that staff review Durham Region's long-term waste management website to ensure all necessary and appropriate information, including but not limited to: Durham's current waste programs; what work is being proposed; any financial costs associated with the project; current and past tonnage data, as well as future projections; and, any related staff reports is posted and available to the public, and where possible links to the external websites with a summary; and
- B) That the Works Committee be informed of the EFW-WMAC request of staff.

RECOMMENDATION: Receive for Information

2. Resolution re: Public Comment on Durham's Guiding Principles and Primary Goals as it relates to Waste Management

Moved by K. Meydam, Seconded by W. Bracken,

- A) That the EFW-WMAC request an opportunity for the public to comment on Durham Region's guiding principles and primary goals, and how they are consistent with provincial priorities; and
- B) That the Works Committee be informed of the EFW-WMAC request.

RECOMMENDATION: Receive for Information