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## **The Regional Municipality of Durham**

### **MINUTES**

#### **WORKS COMMITTEE**

**Wednesday, September 9, 2020**

A regular meeting of the Works Committee was held on Wednesday, September 9, 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  
Councillor Smith  
Regional Chair Henry left the meeting at 9:55 AM  
**\* all members of Committee except Councillor Mitchell and Regional Chair Henry participated electronically**

Also

Present: Councillor Drew  
Councillor Highet  
Councillor Lee  
Councillor Mulcahy  
Councillor Wotten

Absent: Councillor Marimpietri, Vice-Chair

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer  
G. Anello, Director of Waste Management Services  
J. Demanuele, Director of Business Services  
L. Fleury, Legislative Officer, Corporate Services – Legislative Services  
B. Holmes, General Manager – Durham Region Transit  
J. Hunt, Director of Legal Services, Corporate Services – Legal Services  
R. Inacio, Systems Support Specialist, Corporate Services – IT  
R. Jagannathan, Director of Transportation and Field Services  
T. Lee, Executive Assistant, Office of the CAO  
J. Paquette, Manager (Works), Corporate Communications  
N. Prasad, Committee Clerk, Corporate Services – Legislative Services  
J. Presta, Director of Environmental Services  
S. Siopis, Commissioner of Works  
S. Penak, Committee Clerk, Corporate Services – Legislative Services

**2. Declarations of Interest**

There were no declarations of interest.

**3. Adoption of Minutes**

Moved by Councillor Barton, Seconded by Councillor John Neal,  
(63) That the minutes of the regular Works Committee meeting held on  
Wednesday, July 8, 2020, be adopted.

CARRIED

**4. Statutory Public Meetings**

There were no statutory public meetings.

**5. Delegations**

There were no delegations.

**6. Presentations**

**6.1 G. Anello, Director of Waste Management Services, re: Waste Management Annual Report 2019**

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G. Anello, Director of Waste Management Services, presented a PowerPoint presentation regarding the Waste Management Annual Report 2019. A copy of the presentation was provided to Committee members via email.

Highlights from the presentation included:

- Background
- 2019 Highlights
  - Diversion rate is 63%
  - Tonnages for all Waste Diversion Programs
  - Community Outreach
  - Household Hazardous Waste Drop-Off Depot in Bowmanville
  - Landfill Perpetual Care
  - Durham York Energy Centre (DYEC)
- Transition to Extended Producer Responsibility

G. Anello responded to questions from the Committee regarding the recycling bin lid pilot project and next steps; 2020 trends with regards to an increase in waste generated as a result of the pandemic; whether leaf and yard waste backyard composting is promoted throughout the Region; whether tours at the Durham York Energy Centre (DYEC) have resumed; remediation of other Durham Region's landfills following the success of the remediation of the Blackstock Landfill; increasing public facing communications on the

Blackstock Landfill from a digital perspective; and how the potential release of methane gas is managed around the Oshawa Landfill site.

S. Siopis advised that Report #2020-INFO-75 from the August 14, 2020 Council Information Package provides an update on the Continuous Improvement Fund (CIF) Blue Box Lid and Litter Audit Pilot Project.

## **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
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Moved by Councillor Barton, Seconded by Councillor Smith,

- (64) That the 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, be received for information.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

#### Yes

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

#### No

Councillor John Neal

Members Absent: Regional Chair Henry  
Councillor Marimpietri

Declarations of Interest: None

### **7.2 Reports**

There were no Waste Reports to consider.

## **8. Works**

### **8.1 Correspondence**

There were no items of communication to be considered.

## 8.2 Reports

### A) Appointment of Risk Management Officials and Risk Management Inspectors as required by the *Clean Water Act, 2006* (2020-W-45)

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Report #2020-W-45 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Crawford, Seconded by Councillor McLean,  
(65) That we recommend to 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.

CARRIED

### 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)

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Report #2020-W-40 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Crawford, Seconded by Councillor McLean,  
(66) That we recommend to 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) That 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	43,900
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>

<b>Total Project Financing</b>	<b><u>\$958,800</u></b>
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- C) That the Regional Chair and Clerk be authorized to execute any necessary documents or agreements.

CARRIED

C) Sole Source Supply, Delivery and Service of Vactor Brand Truck Mounted Sewer Jets (2020-W-41)

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Report #2020-W-41 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Crawford, Seconded by Councillor McLean,  
(67) That we recommend to 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.

CARRIED

D) Declaration as Surplus and Approval to Dispose of Lands Located at 686 North Street, in the Municipality of Clarington (2020-W-42)

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Report #2020-W-42 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Crawford, Seconded by Councillor McLean,  
(68) That we recommend to 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 Report #2020-W-42 of the Commissioner of Works; and
- C) That authority be granted to the Commissioner of Works to execute any documents necessary to complete the sale.

CARRIED

- 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)
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Report #2020-W-43 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Crawford, Seconded by Councillor McLean,  
(69) That we recommend to 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.

CARRIED

- 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)

Report #2020-W-44 from S. Siopis, Commissioner of Works, was received.

Moved by Councillor Crawford, Seconded by Councillor McLean,  
(70) That we recommend to 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 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



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

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.  
(\* ) including disbursements and before applicable taxes.

CARRIED

## 9. Advisory Committee Resolutions

### 9.1 Energy From Waste – Waste Management Advisory Committee

#### A) Resolution regarding Additional Town Hall Meetings on the LTWMP

Moved by Councillor Smith, Seconded by Councillor Barton,  
(71) That we recommend to 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.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

No

Councillor Barton  
Councillor Crawford  
Councillor McLean  
Councillor John Neal  
Councillor Smith  
Councillor Mitchell, Chair

None

Members Absent: Regional Chair Henry  
Councillor Marimpietri

Declarations of Interest: None

B) Resolution regarding Availability of Information to the Public

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Moved by Councillor Smith, Seconded by Councillor Barton,  
(72) That the resolution from the EFW-WMAC regarding availability of  
information to the public be received for information.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

No

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

Councillor John Neal

Members Absent: Regional Chair Henry  
Councillor Marimpietri

Declarations of Interest: None

C) Resolution regarding Public Comment on Durham's Guiding Principles and Primary Goals as it relates to Waste Management

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Moved by Councillor Smith, Seconded by Councillor Barton,  
(73) That the resolution from the EFW-WMAC regarding public comment on Durham's Guiding Principles and Primary Goals as it relates to Waste Management be received for information.

CARRIED ON THE FOLLOWING  
RECORDED VOTE:

Yes

No

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

Councillor John Neal

Members Absent: Regional Chair Henry  
Councillor Marimpietri

Declarations of Interest: None

**10. Confidential Matters**

There were no confidential matters to be considered.

**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, October 7, 2020 at 9:30 AM in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby.

**13. Adjournment**

Moved by Councillor John Neal, Seconded by Councillor McLean,  
(74) That the meeting be adjourned.

CARRIED

The meeting adjourned at 10:04 AM

Respectfully submitted,

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D. Mitchell, Chair

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S. Penak, Committee Clerk