



The Regional Municipality of Durham

Works Committee Agenda

Wednesday, January 8, 2025, 9:30 a.m.

Regional Council Chambers

Regional Headquarters Building

605 Rossland Road East, Whitby

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2097.

Note: This meeting will be held in a hybrid meeting format with electronic and in-person participation. Committee meetings may be [viewed via live streaming](#).

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| 3. Election of the Works Committee Vice-Chair | |
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| There are no statutory public meetings | |
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Re: Gateway Maintenance Program

Recommendation: Refer to Staff for Review

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10. Advisory Committee Resolutions

There are no advisory committee resolutions to be considered

11. Confidential Matters

There are no confidential matters to be considered

12. Other Business

13. Date of Next Meeting

Wednesday, February 5, 2025 at 9:30 AM

14. Adjournment

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If this information is required in an accessible format, please contact 1-800-372-1102 ext. 2097.

The Regional Municipality of Durham

MINUTES

WORKS COMMITTEE

Wednesday, December 4, 2024

A regular meeting of the Works Committee was held on Wednesday, December 4, 2024 in Council Chambers, Regional Headquarters Building, 605 Rossland Road East, Whitby, Ontario at 9:30 AM. Electronic participation was offered for this meeting.

1. Roll Call

Present: Councillor Barton, Chair
Councillor Marimpietri, Vice-Chair
Councillor Cook*
Councillor Crawford
Councillor Mulcahy*
Councillor Nicholson*
Councillor Yamada
Regional Chair Henry
***denotes Councillors participating electronically**

Absent: None

Also Present: Councillor McDougall
Councillor Wotten*
***denotes visiting Councillors participating electronically**

Staff

Present: E. Baxter-Trahair, Chief Administrative Officer
S. Ciani, Committee Clerk, Corporate Services – Legislative Services
S. Dessureault, Committee Clerk, Corporate Services – Legislative Services
C. Dunkley, Director of Corporate Infrastructure and Strategic Business Services, Works Department
K. Dykman*, Supervisor, Waste Services
A. Evans, Director of Waste Management Services
P. Gee, Manager, Transportation Infrastructure
C. Goodchild*, Director, Planning
M. Hubble, Director of Environmental Services
J. Hunt, Regional Solicitor/Director of Legal Services, Corporate Services – Legal Services
R. Inacio, Systems Support Specialist, Corporate Services – IT
R. Jagannathan, Commissioner of Works
A. McPherson, Solicitor, Corporate Services – Legal Services
L. Saha, Manager, Waste Services

N. Taylor*, Commissioner of Finance
P. Veiga, Manager, Waste Operations
V. Walker, Committee Clerk, Corporate Services – Legislative Services
N. Williams, Project Manager, Waste Services
*** denotes staff participating electronically**

2. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

3. Adoption of Minutes

Moved by Councillor Marimpietri, Seconded by Councillor Crawford,
(84) That the minutes of the regular Works Committee meeting held on
Wednesday, November 6, 2024, be adopted.

CARRIED

Moved by Councillor Marimpietri, Seconded by Councillor Crawford,
(85) That the minutes of the closed Works Committee meeting held on
Wednesday, November 6, 2024, be adopted.

CARRIED

4. Statutory Public Meetings

There were no statutory public meetings.

5. Presentations

There were no presentations heard.

6. Delegations

6.1 Greg Gordon, Chair, Energy from Waste – Waste Management Advisory
Committee (EFW-WMAC), re: EFW-WMAC Annual Report

Greg Gordon, Chair, Energy from Waste – Waste Management Advisory
Committee (EFW-WMAC) appeared in-person before the Committee with respect
to the EFW-WMAC Annual Report.

G. Gordon advised that there are nine members on the EFW-WMAC Committee.
He outlined topics that had been considered by the Committee at their meetings
that included:

- December 6 and December 18, 2023
 - Annual Report Presentation to Durham Region’s Works Committee
and the Municipality of Clarington Council
- February 4, 2024 – Scheduled Meeting Q1

- EFW-WMAC Work Plan (2023-2024)
- May 26, 2024 – Scheduled Meeting Q2
- September 24, 2024 – Scheduled Meeting Q3
 - Other Discussions
- Work Program Update
 - Long-Term Waste Management Plan Implementation and Recycling
 - Anaerobic Digestion Research and Knowledge
 - Community and Outreach Activities
 - Durham Region's Organics Management Project
 - Extended Producer Responsibility
 - Material Recovery Facility (MRF)
 - Landfill Biocover/Landfill Management
 - Durham York Energy Centre (DYEC) Familiarization and Research

G. Gordon responded to questions from the Committee.

Staff responded to supplemental questions from the Committee regarding the automated cart-based pilot project; the emissions monitoring at the Durham York Energy Centre (DYEC); and waste related topics.

7. Waste

7.1 Correspondence

There were no communication items considered.

7.2 Reports

There were no Waste Reports considered.

8. Works

8.1 Correspondence

- A) Correspondence received from the City of Oshawa, dated November 8, 2024, re: Stevenson Road North from Taunton Road West to Conlin Road West, Agreement Request
-

Staff responded to questions from the Committee regarding the timeline for the completion of the servicing works on Stevenson Road North in the City of Oshawa; and ensuring that there is continued coordination between the City of Oshawa and the Region of Durham on this project.

At this time, Councillor Marimpietri made a declaration of interest under the Municipal Conflict of Interest Act with respect to the correspondence received from the City of Oshawa, dated November 8, 2024, regarding the Stevenson Road North from Taunton Road West to Conlin Road West, agreement request.

He indicated that he has family members that own property, and reside within the reported area, and did not vote on the matter.

Moved by Regional Chair Henry, Seconded by Councillor Crawford,
(86) That the correspondence received from the City of Oshawa, dated November 8, 2024, regarding the Stevenson Road North from Taunton Road West to Conlin Road West, agreement request be referred to the 2025 Regional budget deliberations.

CARRIED

8.2 Reports

A) Updated Encroachment Policy for Encroachment, Tieback and Crane Swing Agreements (2024-W-25)

Report #2024-W-25 from R. Jagannathan, Commissioner of Works, was received.

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

- A) That the updated Encroachment Policy (Attachment #1 to Report #2024-W-25 of the Commissioner of Works) for Encroachment, Tieback and Crane Swing Agreements be approved and adopted;
- B) That the Commissioner of Works be delegated authority pursuant to Section 23.2(1)(c) and Section 23.2(4) of the Municipal Act, 2001 SO 2001, c. 25 to amend the Encroachment Policy from time to time as may be required, including modifications and amendments to the Encroachment, Tieback and Crane Swing Agreements in a form and content satisfactory to the Regional Solicitor; and
- C) That the Commissioner of Works be authorized to attach the template agreements for Encroachment, Tieback and Crane Swing agreements as schedules to the Encroachment Policy once finalized in a form satisfactory to the Regional Solicitor and to execute all agreements associated with the Encroachment Policy.

CARRIED

B) Sole Source Procurement of Engineering Services for the Detailed Design of Intersection Improvements at Bayly Street (Regional Road 22) and Sandy Beach Road in the City of Pickering (2024-W-26)

Report #2024-W-26 from R. Jagannathan, Commissioner of Works, was received.

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

- A) That staff be authorized to award a sole source engineering services agreement to T.Y. Lin International Canada Inc. to undertake the detailed design of intersection improvements at Bayly Street (Regional Road 22) and Sandy Beach Road, in the City of Pickering, for an amount not to exceed \$310,000, subject to the approval of additional financing for the project in the proposed 2025 Business Plans and Budgets; and
- B) That the Commissioner of Finance be authorized to execute the necessary documents related to the sole source agreement.

CARRIED

C) Additional Financing for Unbudgeted Capital Projects Declared as Emergencies (2024-W-27)

Report #2024-W-27 from R. Jagannathan, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Marimpietri, (89) That we recommend to Council:

- A) That information related to unbudgeted capital work resulting from emergency events be received for information; and
- B) That additional financing for the completion of the following unbudgeted capital projects be provided from surplus funding from within the 2024 Solid Waste Management and Durham Region Transit Budgets at the discretion of the Commissioner of Finance:

Solid Waste Management

Fire Suppression System Material Recovery Facility (MRF) – Phase 2
Project ID: G2218

Previously Approved Financing

General Tax \$500,000

Additional financing first from any available 2024 Solid Waste management surplus, with any remaining amounts from any other Solid Waste Management source at the discretion of the Commissioner of Finance: \$582,545

Total Revised Capital Project \$1,082,545

Durham Region Transit

Bus Hoist Repair Durham Region Transit (DRT) East
Project ID: H2401

Proposed Financing first from any available 2024 Durham Regional Transit surplus, with any remaining amounts from any other Durham Region Transit source, as determined at the discretion of the Commissioner of Finance \$279,848

Total Financing Required \$279,848
CARRIED

D) Approval of Unbudgeted Capital Project Financing for Work at the Courtice Water Pollution Control Plant Declared as an Emergency (2024-W-28)

Report #2024-W-28 from R. Jagannathan, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Marimpietri, (90) That we recommend to Council:

That unbudgeted capital financing in the amount of \$1,000,000* for the emergency transformer repair and replacement work at the Courtice Water Pollution Control Plant be approved and that the funding be provided at the discretion of the Commissioner of Finance.

(* before applicable taxes

CARRIED

E) Approval of Additional Financing for Capital Work at Sunderland Municipal Well #1 Declared as an Emergency (2024-W-29)

Report #2024-W-29 from R. Jagannathan, Commissioner of Works, was received.

Moved by Regional Chair Henry, Seconded by Councillor Marimpietri, (91) That we recommend to Council:

A) That the previously approved project budget of \$892,000 for the replacement of UV treatment units at Sunderland Municipal Well #1 be increased by \$312,189 to a revised total project budget of \$1,204,189; and

B) That additional financing of \$312,189 be provided from the following sources:

Previously Approved Financing

Water Supply Capital Budget, Project ID: K2106

User Revenue \$892,000

Total Previously Approved Financing \$892,000

Additional Financing

From 2024 Completed and Closed Projects Savings, at the discretion of the
Commissioner of Finance

Water Supply User Revenue \$312,189

Total Revised Project Financing \$1,204,189
CARRIED

9. Advisory Committee Resolutions

There were no advisory committee resolutions to be considered.

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, January 8, 2025 at 9:30 AM in Council Chambers, Regional
Headquarters Building, 605 Rossland Road East, Whitby.

13. Adjournment

Moved by Councillor Yamada, Seconded by Councillor Marimpietri,
(92) That the meeting be adjourned.

CARRIED

The meeting adjourned at 9:58 AM

Respectfully submitted,

D. Barton, Chair

S. Ciani, Committee Clerk

December 19, 2024

Via Email:

Alexander Harras
Regional Clerk
Regional Municipality of Durham
clerks@durham.ca

Re: Gateway Maintenance Program

Please be advised that at its meeting held on December 16, 2024, the Council of the Town of Whitby adopted the following as Resolution # 246-24:

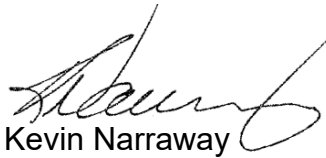
Whereas through Staff Report CMS 10-24, re: Gateway Maintenance Program, Council considered options for the Town to maintain gateway features, columns or iron fences and elected to continue with the status quo to not maintain gateway features, columns or iron fencing located on regional or private property; and,

Whereas there is the opportunity to establish a grant program whereby the Town could offset the costs associated with homeowners removing gateway and masonry features and columns located on private property.

Now therefore be it resolved:

1. That Staff be directed to report back on the opportunity for a grant program for homeowners to offset their costs of removing gateway and masonry features and columns located on private property prior to the introduction of the 2026 Strong Mayor Budget; and,
2. That the Clerk be directed to send correspondence to the Regional Municipality of Durham requesting that Regional Council consider a program for the maintenance of masonry features and columns located on Regional property.

Should you require further information, please do not hesitate to contact Chris Harris, Town Clerk at 905-430-4302.



Kevin Narraway
Sr. Manager of Legislative Services/Deputy Clerk
clerk@whitby.ca

Copy: C. Harris, Town Clerk – clerk@whitby.ca
J. Romano, Commissioner of Community Services – romanoj@whitby.ca

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: #2025-W-1
Date: January 8, 2025

Subject:

Sole Source Procurement of Engineering Services for Michael Starr Trail Trunk Sanitary Sewer Project in the City of Oshawa

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That staff be authorized to award a sole source engineering services agreement to CIMA Canada Inc. for engineering services for the detailed design of a 450-millimetre (mm) diameter trunk sanitary sewer along the Michael Starr Trail in Oshawa, for \$193,577.80*, to be financed from the approved project budget; and
 - B) That the Commissioner of Finance be authorized to execute the necessary documents related to the sole source agreement.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to obtain Regional Municipality of Durham (Region) Council approval to award a sole source contract for engineering services to CIMA Canada Inc. (CIMA+) to undertake the detailed design for the Michael Starr Trail trunk sanitary sewer project, in the City of Oshawa.
- 1.2 Dollar amounts followed by an asterisk (*) are before applicable taxes.

2. Background

- 2.1 The City of Oshawa (Oshawa) has retained CIMA+ to complete the detailed design for the reconstruction and improvement of the existing Michael Starr Trail multi-use path from Rossland Road East (Regional Road 28) to Beatrice Street East (see Attachment 1-Location Map)
- 2.2 In the 2023 Development Charge Background Study, the Region recognized the need to twin the existing sanitary sewer between Rossland Road East and Beatrice Street East.

3. Justification for the Sole Source

- 3.1 In May 2022, through competitive bid RFP C-2022-053, the City of Oshawa retained CIMA+ to complete the detailed design for the Michael Starr Trail reconstruction, including trail accessibility and drainage improvements.
- 3.2 Completing the trail reconstruction design at the same time as the sanitary sewer will allow for seamless coordination of necessary permitting requirements and stakeholder consultation within the proposed schedule of Oshawa's planned project.
- 3.3 The Region and Oshawa intend to have the trunk sanitary sewer tendered and constructed as part of a single capital contract.

4. Proposed Additional Engineering Services

- 4.1 The Region has identified the Michael Starr Trail as a suitable alignment for the construction of a new trunk sanitary sewer to alleviate capacity constraints within the existing Harmony Creek trunk sewer system and to accommodate future redevelopment and intensification in the upstream North Oshawa area. Through recurring coordination meetings, the Region and Oshawa agreed that combining the reconstruction of the multi-use path and the installation of the sanitary sewer efforts will provide significant cost efficiencies and mitigate the duration of construction impacts on residents and the natural environment.
- 4.2 Awarding the engineering services to different consulting firms would require the Region to coordinate multiple engineering services contracts, resulting in additional time and resources, which would cause operational challenges. Staff recommend sole sourcing to avoid duplication of effort.

5. Financial Implications

- 5.1 Section 7.2 of the Region's Purchasing By-law, Appendix "C" permits the sole sourcing of goods and services under specific circumstances, including where additional deliverables were not included in the initial procurement and where a change of supplier is not recommended due to compatibility/continuity concerns and cost impacts.
- 5.2 The Region's Purchasing By-law also requires Regional Council approval for any negotiated purchases of \$100,000 and greater in value.
- 5.3 Financing for the procurement of the engineering services estimated at \$193,577.80 will be provided from the approved project budget (Project ID: D2302).

6. Relationship to Strategic Plan

- 6.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic plan:
- a. Service Excellence Goal #5.1: Optimize resources and partnerships to deliver exceptional quality services and value.
 - b. Service Excellence Goal #5.4: Drive organizational success through innovation, a skilled workforce and modernized services.

7. Previous Reports and Decisions

- 7.1 There have been no previous reports related to this contract.

8. Conclusion

- 8.1 It is recommended that approval be granted for the sole source contract for engineering services to be awarded to CIMA+ for the detailed design of the Michael Starr Trail trunk sanitary sewer project, in the amount of \$193,577.80.
- 8.2 This report has been reviewed by the Finance Department, and the Commissioner of Finance concurs with the recommendations.

8.3 For additional information, contact: Mike Hubble, Director of Environmental Services, at 905-668-7711, extension 3460.

9. Attachments

Attachment #1: Location Map

Respectfully submitted,

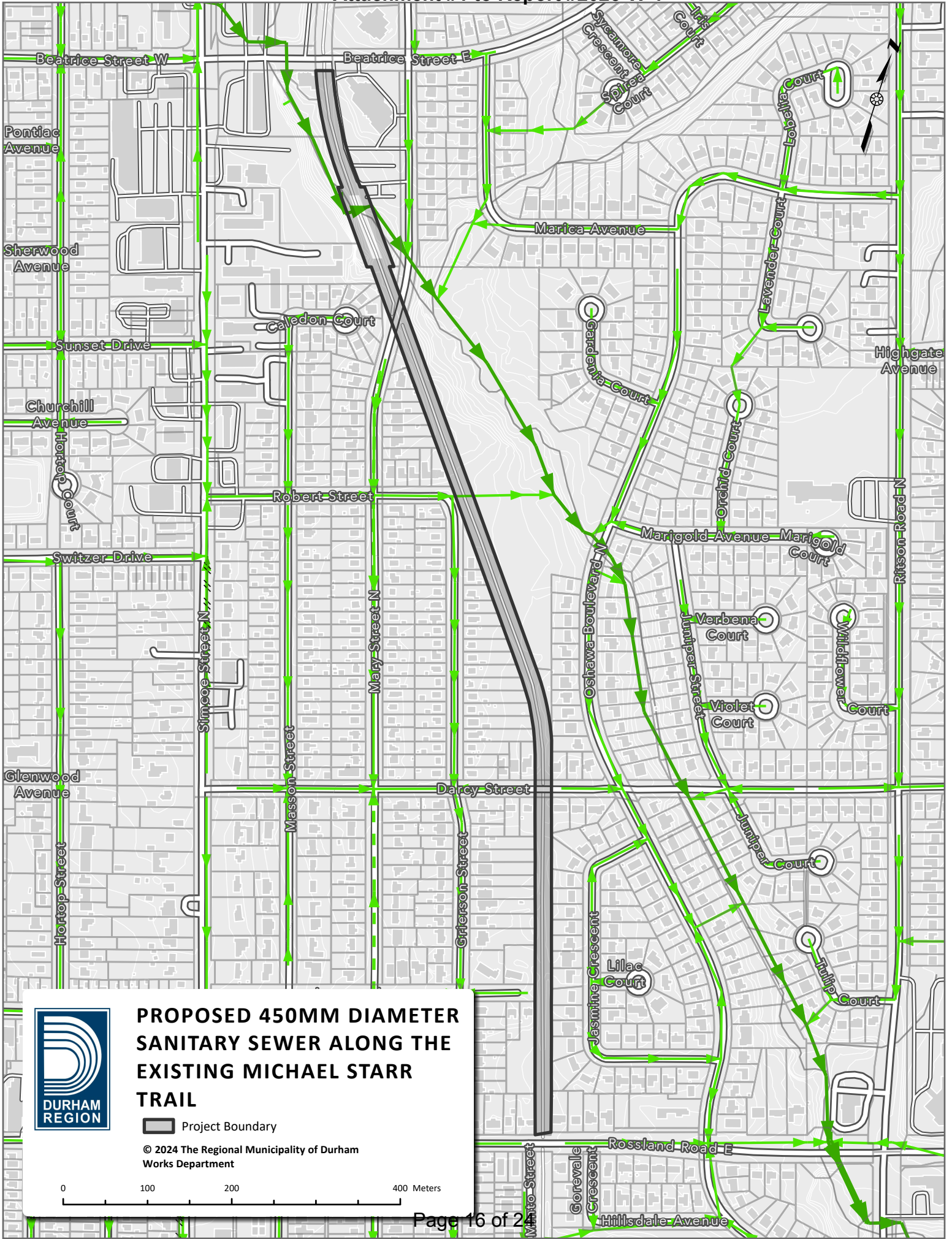
Original signed by:

Ramesh Jagannathan, MBA, M.Eng., P.Eng., PTOE
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine C. Baxter-Trahair
Chief Administrative Officer



**PROPOSED 450MM DIAMETER
SANITARY SEWER ALONG THE
EXISTING MICHAEL STARR
TRAIL**

Project Boundary

© 2024 The Regional Municipality of Durham
Works Department

0 100 200 400 Meters



The Regional Municipality of Durham Report

To: Works Committee
From: Commissioner of Works
Report: #2025-W-2
Date: January 8, 2025

Subject:

Lease Renewal with The Corporation of the Township of Brock for Space Located at S1015 Regional Road 10, in the Township of Brock, for Use by the Works Department Sunderland Depot

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That the Lease Agreement with The Corporation of the Township of Brock (the "Landlord") for premises at S1015 Regional Road 10, in the Township of Brock, containing approximately 2,900 square feet be renewed with the following terms and conditions:
- i) The renewal term is for a period of four years and eleven months (4 years and 11 months) commencing February 1, 2025, and ending on December 31, 2029;
 - ii) The Annual gross rent for year one of the lease term will be \$23,200 based on a rate of \$8.00 per square foot per annum, to be paid annually. The annual gross rent will be adjusted annually by the Consumer Price Index for Ontario for each remaining year of the term;
 - iii) The Landlord will be responsible for the payment of the utilities, maintenance, repairs and replacement of the systems, facilities, and equipment necessary to operate the building and parking lot; and
- B) That the Regional Chair and Clerk be authorized to execute all documents associated with the Lease renewal.

Report:**1. Purpose**

- 1.1 The purpose of this report is to obtain approval to renew the lease with the Landlord for the Works Department as per the terms and conditions outlined herein.
- 1.2 Dollar amounts included in this report are exclusive of applicable taxes.

2. Background

- 2.1 The Works Department has leased space at S1015 Regional Road 10, Sunderland, in the Township of Brock, since 2004 for storing Regional vehicles and equipment for the Sunderland Depot. The current lease expires January 31, 2025, and the department wishes to renew it. Real Estate staff have negotiated renewal terms with the Landlord.

3. Previous Reports and Decisions

- 3.1 The original Lease for premises at S1015 Regional Road 10 was executed on January 14, 2004, and last renewed in 2024 for a one-year term January 31, 2025.

4. Terms of Renewal

- 4.1 The proposed renewal term is four years and eleven months (4 years and 11 months), from February 1, 2025 to December 31, 2029.
- 4.2 The proposed gross annual rental rates during the term of the Lease are as follows:

| Year | Term | Annual Rent |
|--------|--------------------------------------|-------------------|
| Year 1 | February 1, 2025 – December 31, 2025 | \$21,267 |
| Year 2 | January 1, 2026 – December 31, 2026 | Year 1 + 2025 CPI |
| Year 3 | January 1, 2027 – December 31, 2027 | Year 2 + 2026 CPI |
| Year 4 | January 1, 2028 – December 31, 2028 | Year 3 + 2027 CPI |
| Year 5 | January 1, 2029 – December 31, 2029 | Year 4 + 2028 CPI |

- 4.3 The proposed gross annual rent includes all utilities and operating costs.
- 4.4 The Landlord is responsible for the maintenance, repairs and replacement of the systems, facilities, and equipment necessary to operate the building, the parking lot, and common areas.

5. Financial Implications

- 5.1 Financing for this Lease Renewal will continue to be provided from within the Works Department's Business Plans and Budget for this facility.
- 5.2 Since the approval of this lease requires a long-term financial obligation for which payment is required beyond the term for which Council was elected, the Regional Treasurer has updated the Region's financial debt obligation and obligation limit. In accordance with Section 4 of the Ontario Regulation 403/02, the Region's Treasurer has calculated an updated long-term debt/financial limit and has determined that the limit has not been exceeded. Therefore, this lease extension does not require the approval of the Local Planning Appeal Tribunal.

6. Relationship to Strategic Plan

- 6.1 This report aligns with the following strategic goals and priorities in the Durham Region Strategic Plan:
- A) Goal 2: Community Vitality
 - 2.2: Enhance community safety and well-being
 - B) Goal 5: Service Excellence
 - 5.1: Optimize resources and partnerships to deliver exceptional quality services and values
 - 5.2: Allow for a seamless service experience

7. Conclusion

- 7.1 The Regional Municipality of Durham Works Department wishes to renew the lease for premises at S1015 Regional Road 10, in the Township of Brock, for storing Regional vehicles and equipment used by the Sunderland depot. It is recommended that the Lease Renewal Agreement be approved based on the above-noted terms and conditions.
- 7.2 This report has been reviewed by the Finance Department.

7.3 For additional information, please contact Christine Dunkley, Director of Corporate Infrastructure and Strategic Business Services, at 905-668-7711, extension 3475.

Respectfully submitted,

Original signed by:

Ramesh Jagannathan, MBA, M.Eng, P.Eng, PTOE
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: #2025-W-3
Date: January 8, 2025

Subject:

Declaration of Significant Weather Events and the Delegation of Authority to the Commissioner of Works

Recommendations:

That the Works Committee recommends to Regional Council:

- A) That Regional Council delegate authority to the Commissioner of Works or their designate to declare the beginning and end of a Significant Weather Event and issue the prescribed notifications to the public for purposes of O.Reg. 239/02: Minimum Maintenance Standards for Municipal Highways under the *Municipal Act, 2001*, S.O. 2001, c. 25; and
 - B) That a By-law to amend the Delegation of Authority By-law (By-law #04-2023), generally in the form included as Attachment #1 to this Report, to reflect the addition of the delegation of authority as provided in Recommendation A), be approved.
-

Report:

1. Purpose

- 1.1 The purpose of this report is to recommend amendments to the by-law that delegates authority of certain powers to specified senior Regional staff with certain specific restrictions and reporting obligations.

- 1.2 This report recommends amendments to Schedule A of By-law #04-2023 (the Delegation of Authority By-law) to grant the Commissioner of Works and their designate the authority to make a declaration of the beginning and end of a Significant Weather Event and issue the prescribed notifications to the public for the purposes of O. Reg. 239/02: Minimum Maintenance Standards for Municipal Highways under the *Municipal Act, 2001*, S.O. 2001, c. 25.

2. Background

- 2.1 The Municipal Act, 2001, governs the composition, structure, powers, and responsibilities of municipalities in Ontario S.O. 2001, c.25, as amended (the “Municipal Act”). In accordance with the Municipal Act, all powers, rights, and responsibilities of a municipality shall be exercised by the municipality’s council and shall be done by way of by-law.
- 2.2 Section 23.1(1) of the Municipal Act provides for a municipality to delegate its powers and duties under that or any other Act to a person or body subject to certain restrictions.
- 2.3 O.Reg. 239/02 Minimum Maintenance Standards for Municipal Highways under the *Municipal Act, 2001*, S.O. 2001, c. 25 allows municipalities to declare Significant Weather Events, that is, a weather hazard determined by Environment Canada through its Public Weather Alerting Program with potential to pose a significant danger to users of the Region’s right of ways, including significant snow or ice accumulation. When a municipality declare a Significant Weather Event, roadways, bicycle lanes, and sidewalks for which the municipality has maintenance obligations are determined to be in a state of repair during the event. With the declaration of a Significant Weather Event, standard timelines to meet maintenance obligations are suspended until the end of the event.
- 2.4 The Commissioner of Works or their designate will consider the issuance of an Environment Canada Public Weather Alert that could impose considerable damage to a Regional Right of Way and local weather forecasts before declaring the start of a Significant Weather Event.
- 2.5 When declaring a Significant Weather Event, the municipality must provide notice to the public through its website or social media platforms, by sending a press release or similar communication, through the municipality’s police service or by any other notification method required by a by-law of the municipality.

3. Relationship to Strategic Plan

- 3.1 This report aligns with/addresses the following strategic goals and priorities in the Durham Region Strategic Plan:
- a. Optimizing winter maintenance resources and driving organizational success through innovative and modernized services, supporting Goal 5 (Service Excellence).

4. Conclusion

- 4.1 It is recommended that By-law #04-2023 be amended to provide the Commissioner of Works and their designate with the authority to declare the start and end of a Significant Weather Event.
- 4.2 This report has been reviewed by the Legislative Services Division – Corporate Services Department and Legal Services – Office of the CAO.
- 4.3 For additional information, please contact David Stewart, Project Manager, at 905-668-7711, extension 6543.

5. Attachments

- 5.1 Attachment #1: Proposed Amending By-law

Respectfully submitted,

Original signed by:

Ramesh Jagannathan, MBA, M.Eng., P.Eng., PTOE
Commissioner of Works

Recommended for Presentation to Committee

Original signed by:

Elaine Baxter-Trahair
Chief Administrative Officer

**By-law Number xxxx-xx
of the Regional Municipality of Durham**

Being a by-law to amend By-law #04-2023 to provide the Commissioner of Works and their designate with the authority to declare the beginning and end of Significant Weather Events, for the purposes of O.Reg. 239/02: *Minimum Maintenance Standards for Municipal Highways* under the *Municipal Act, 2001*, S.O. 2001, c. 25.

Whereas when a Significant Weather Event is declared, roadways, bicycle lanes, and sidewalks with respect to which the municipality has maintenance obligations are declared to be in a state of repair during the event.

Whereas the municipality must provide notification to the public when declaring the beginning or end of a Significant Weather Event using the municipality’s website or social media platforms, by sending a press release or similar communication, through the municipality’s police service, or by any other notification method required by a by-law of the municipality.

Whereas section 23.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, provides for a municipality to delegate its powers, duties under this or any other Act to a person or body subject to certain restrictions.

Whereas the Council of the Regional Municipality of Durham has deemed it desirable and efficient to delegate certain powers pursuant to the provisions of the *Municipal Act, 2001* and the restrictions and provisions of this By-law.

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

1. That the table in Schedule “A” to By-law #04-2023 be amended under Category 3. Works by adding thereto the following Section identified as Section 3.40.

| # | Delegation of Authority | Delegate | Delegation Process | Document | Reporting Existing/ Proposed |
|------|--|--|--------------------|-------------------------|------------------------------|
| 3.40 | The authority to declare the beginning and end of a Significant Weather Event and issue the prescribed notifications to the public pursuant to O. Reg. 239/02 under the <i>Municipal Act, 2001</i> . | Commissioner of Works or their Designate | | Regional Infrastructure | |

This By-law Read and Passed on the 29th day of January, 2025.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk