

Report #6 of the Committee of the Whole

For consideration by Regional Council

June 25, 2025

The Committee of the Whole recommends approval of the following:

1. Authorization to enter into an Agreement with Estates of Northgate Incorporated (Lakeview Homes) for the Construction of a Zone 2 Feedermain and Sanitary Sewer on Church Street from south side of Hydro Corridor to 500 m south of Taunton Road, in the Town of Ajax ([2025-COW-22](#))

- A) That the Regional Municipality of Durham be authorized to enter into an Agreement with Lakeview Homes for the construction of a Zone 2 feedermain and sanitary sewer (the “Works”) with the following terms:
 - i) Lakeview Homes will finance upfront 100 per cent of the design and construction costs of the Works, estimated at \$6,102,100 (\$2,128,600 for the feedermain and \$3,973,500 for the sanitary sewer);
 - ii) Lakeview Homes will tender, award, and construct the necessary Works, subject to terms and conditions to ensure competitive pricing, along with Regional inspection and approval of all contract change orders which, in aggregate, exceed 10 per cent of the tendered cost;
 - iii) Lakeview Homes will post security in the form of a letter of credit or surety bond, satisfactory to the Commissioner of Finance, in the amount of 100 per cent of the estimated value of the design and construction costs of the Works;
 - iv) Lakeview Homes will receive residential water supply development charge credits up to an amount equal to the residential share (92.6 per cent) of the design and construction costs of the water supply Works, estimated at \$1,971,100 (at the rates in effect at the time of development), for lands within the Zone 2 area that are serviced by the Work;
 - v) Lakeview Homes will receive residential sanitary sewer development charge credits up to an amount equal to the residential share (83.3 per cent) of the design and construction costs of the sanitary sewer Works, estimated at \$3,309,900 (at the rates in effect at the time of development), for lands within the areas that are serviced by the Works;
 - vi) Development charge credits earned will be indexed in accordance with Statistics Canada’s Building Construction Price Index (the prescribed series used to index the Regional Development Charge Rates);

- vii) The Region will pay to Lakeview Homes the industrial share (3.8 per cent), the commercial share (2.9 per cent), and the institutional share (0.7 per cent) of the design and construction costs of the Works, estimated at \$157,500, upon acceptance by the Region of the completion of the Works, from the Water Supply Capital Budget:

Water Supply System Capital Budget

Item #124 Zone 2 feedermain on Church St. from south side of the hydro right of way to Taunton Rd., Ajax (Project ID: D2301)

Commercial Development Charges	\$61,700
2025 Water User Revenue ¹	<u>\$95,800</u>
Total	<u>\$157,500</u>

Note:

- 1 \$95,800 in water user revenue related to the shortfall in industrial and institutional development charges.

- viii) The Region will pay to Lakeview Homes the industrial share (8.6 per cent), the commercial share (6.5 per cent), and the institutional share (1.6 per cent) of the design and construction costs of the Works, estimated at \$663,600 upon acceptance by the Region of the completion of the Works, from the Sanitary Sewer System Capital Budget:

Sanitary Sewerage

Prior Approved Financing – Sanitary Sewerage System Capital Budget

Sanitary sewer on Church St. from south side of Hydro Corridor to Taunton Rd., Ajax (Project ID: D2407)

Commercial Development Charge Reserve Fund	\$201,500
2025 Sewer User Revenue ¹	<u>\$316,200</u>
Total	<u>\$517,700</u>

Additional Financing

Sanitary Sewerage System Capital Budget

Item #426: Allowance for Regional share for works in conjunction with development (Project ID: M2510)

Commercial Development Charge Reserve Fund	\$56,800
Industrial Development Charge Reserve Fund	\$75,100
Sewer User Revenue ¹	<u>\$14,000</u>
Total Additional Financing	<u>\$145,900</u>

Total Financing

Commercial Development Charge Reserve Fund	\$258,300
Industrial Development Charge Reserve Fund	\$75,100
Sewer User Revenue ¹	<u>\$330,200</u>
Total Project	<u>\$663,600</u>

Note:

1 \$330,200 in Sewer user revenue related to the shortfall in industrial and institutional development charges

- ix) The Region will pay 15 per cent of the costs of the construction of the Works to address engineering and other soft costs incurred by Lakeview Homes, included in the estimated cost of the Works;
 - x) All financial commitments will be based on actual costs;
 - xi) Such other terms as deemed appropriate by the Commissioner of Works; and
- B) That the Regional Chair and Regional Clerk be authorized to execute the above-noted Agreement in a form satisfactory to the Regional Solicitor.
2. Authorization to enter into an Agreement with Conlin Anderson Landowners Group for the Construction of a Sub-Trunk Sanitary Sewer on Thicksen Road (Regional Road 26) from Glengowan Street to the Future Mid Block Arterial, north of Conlin Road, in the Town of Whitby ([2025-COW-23](#))
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- A) That the Regional Municipality of Durham be authorized to enter into an Agreement with Conlin Anderson Landowners Group for the construction of a sub-trunk sanitary sewer (the “Works”) with the following terms:
- i) Conlin Anderson Landowners Group will finance upfront 100 per cent of the design and construction costs of the Works estimated at \$9,699,400;
 - ii) Conlin Anderson Landowners Group will tender, award, and construct the necessary Works, subject to terms and conditions to ensure competitive pricing, along with Regional inspection and approval of all contract change orders which, in aggregate, exceed 10 per cent of the tendered cost;
 - iii) Conlin Anderson Landowners Group will post security in the form of a letter of credit or surety bond, satisfactory to the Commissioner of Finance, in the amount of 100 per cent of the estimated value of the design and construction costs of the Works;

- iv) Conlin Anderson Landowners Group will receive industrial sewer development charge credits up to an amount equal to the industrial share (8.6 per cent) of the design and construction costs of the sanitary sewer Works, estimated at \$834,100 (at the rates in effect at the time of development), for lands within the areas that are serviced by the Works;
- v) Development charge credits earned will be indexed in accordance with Statistics Canada's Building Construction Price Index (the prescribed series used to index the Regional Development Charge Rates);
- vi) The Region will pay to Conlin Anderson Landowners Group the residential share (83.3 per cent), the commercial share (6.5 per cent), and the institutional share (1.6 per cent) of the design and construction costs of the Works, estimated at \$8,865,300 upon the issuance of the first full building permit within the contributing drainage area, from the following sources:

Sanitary Sewerage

Prior Approved Financing – Sanitary Sewerage System Capital Budgets

Thickson Rd. Sub-trunk sanitary sewer from Glengowan St. to Mid-block, Whitby (Project ID: D2103)

Residential Development Charge Reserve Fund	\$3,870,300
Commercial Development Charge Reserve Fund	\$272,000
Sewer User Revenue ¹	<u>\$155,200</u>
Total	<u>\$4,297,500</u>

Note:

- 1 \$155,200 in Sewer user revenue related to the shortfall in institutional development charges

Additional Financing

Sanitary Sewerage System Capital Budget

Item #56: West Whitby sub trunk on Dundas St. from Des Newman Blvd. to Halls Rd., Whitby (Project ID: D2043)

Residential Development Charge Reserve Fund	\$999,600
Commercial Development Charge Reserve Fund	\$78,000

Item #74: Forcemain on Conlin Rd. from Ritson Rd. to Harmony Rd., Oshawa (Project ID; D2104)

Residential Development Charge Reserve Fund	\$1,460,400
Commercial Development Charge Reserve Fund	\$144,000

Item #120: Proposed Marina Sanitary Sewage Pumping Station and forcemain, Oshawa (Project ID: D2519)

Residential Development Charge Reserve Fund	\$833,000
Commercial Development Charge Reserve Fund	\$65,000

Item #129: Expansion of Newcastle Water Pollution Control Plant from 7 MLD to 16 MLD and outfall (Project ID: D2520)

Residential Development Charge Reserve Fund	\$916,300
Commercial Development Charge Reserve Fund	\$71,500
Total Additional Financing	<u>\$4,567,800</u>

Total Financing

Residential Development Charge Reserve Fund	\$8,079,600
Commercial Development Charge Reserve Fund	\$630,500
Sewer User Revenue ¹	<u>\$155,200</u>
Total Project	<u>\$8,865,300</u>

Note:

¹ A total of \$155,200 in Sewer user revenue related to the shortfall in institutional development charges

- vii) The Region will pay 15 per cent of the costs of the construction of the Works to address engineering and other soft costs incurred by the Conlin Anderson Landowners Group, included in the estimated cost of the Works;
 - viii) All financial commitments will be based on actual costs;
 - ix) If any of the industrial lands within the North-East Whitby Employment Area are rezoned prior to the first building permit and developed as residential and/or commercial, then the Conlin Anderson Landowners Group will receive residential and/or commercial development charge credits in lieu of payment from the Region for the residential or commercial share;
 - x) Such other terms as deemed appropriate by the Commissioner of Works; and
- B) That the Regional Chair and Regional Clerk be authorized to execute the above-noted Agreement in a form satisfactory to the Regional Solicitor.

3. Tariff Actions Update ([2025-COW-24](#))

That staff report back on an as-needed basis to update Regional Council on the Made in Durham Regional procurement initiatives and associated implications for the economy in the context of tariff actions.

4. 2025 Asset Management Plan ([2025-COW-25](#))

- A) That the 2025 Regional Municipality of Durham Asset Management Plan and the Region's Corporate Strategic Asset Management Policy be endorsed; and
- B) That the 2025 Regional Municipality of Durham Asset Management Plan be posted on the Region's website and the Ministry of Municipal Affairs and Housing be advised.

5. Region of Durham Response to Bill 17, Protect Ontario by Building Faster and Smarter Act, 2025 ([2025-COW-26](#))

- A) That the letter dated June 4, 2025, found in Attachment #1 to Report #2025-COW-26 of the Commissioner of Finance, be endorsed as the Region of Durham's response to Bill 17, Protect Ontario by Building Smarter and Faster Act, 2025, including the following key messages:
 - i) Development Charges Act – Development Charge (DC) relief should be reviewed on an annual basis and be designed to be targeted and temporary to respond to changing market conditions;
 - ii) Planning Act – Municipal autonomy should be preserved by ensuring complete application requirements reflect site-specific considerations, but with encouragement for standardization of study requirements;
 - iii) Building Code Act – Municipal authority should be maintained to implement green development standards that align with climate goals;
 - iv) Transit Legislation – The proposed updates to include the GO Lakeshore East Extension to Bowmanville as a 'provincial transit projects' is welcomed, and the Region will work closely with the Province to further understand data-sharing expectations and municipal agreement exemptions; and
- B) That a copy of Report #2025-COW-26 be forwarded to the Region's local area municipalities and the Association of Municipalities of Ontario.

6. Contract Extension to Purchase Maximo Application Suite Platform Software Licenses, Support and Data Hosting from Talan (formerly Createch), an IBM Reseller ([2025-COW-27](#))

- A) That staff negotiate and award a contract extension to 2030, with an optional extension of an additional five years, of the existing licencing, support and data hosting agreement with 6362222 CANADA INC. [Talan (formerly Createch)] in coordination with IBM for the existing IBM's Enterprise Asset Management Platform, Maximo Application Suite, with increases in costs above previous forecasts in 2026 and 2027 as outlined below to be included within the Region's annual Business Plans and Budgets:

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Do Nothing (2028 renewal)	\$1.3M	\$1.4M	\$3.3M	\$3.0M	\$3.1M	\$3.3M	\$3.4M	\$3.7M	\$3.9M	\$4.1M	\$30.5M
Renegotiate (2031 renewal)	\$2.1M	\$2.2M	\$2.0M	\$2.1M	\$2.1M	\$2.3M	\$2.4M	\$2.5M	\$2.7M	\$2.8M	\$23.2M
Additional Spend/ Savings	\$0.8M	\$0.8M	\$1.3M	\$0.9M	\$1.0M	\$1.0M	\$1.0M	\$1.2M	\$1.2M	\$1.3M	\$7.3M

Legend	Firm, negotiated amounts	Estimated figures	Red line indicates opportunity to go to market
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- B) That the Commissioner of Finance be authorized to execute the necessary documents for the negotiated agreement(s) and any amendments.

7. Confidential Report of the Commissioners of Finance and Community Growth and Economic Development – Closed Matter with respect to information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them, and with respect to a position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Region, as it relates to Negotiations with Metrolinx for Design Services Agreement for GO Stations along the GO Lakeshore East Extension to Bowmanville ([2025-COW-21](#))

That the recommendations contained in Confidential Report #2025-COW-21 of the Commissioners of Finance and Community Growth and Economic Development, be adopted.

Respectfully submitted,

J. Henry, Regional Chair and CEO