

**MUNICIPAL ENGINEERS ASSOCIATION
DEVELOPMENT ENGINEERING COMMITTEE
(MEA-DEC)
MEETING AGENDA**

Date: Thursday October 6, 2022

Time: 9:00 a.m.

Location: Video Conference via Zoom

Item No.	Discussion Topics	
1	Opening Remarks: a) Welcome by MP to everyone. MP will share screen. Raise a hand for questions, or turn on/off your video. Other reactions in Zoom. Chat window – please type your name and the municipality that you are from. b) Meeting structure – informal. Usually 20 minutes per topic. Bio break at 10:30. Lunch break at 12. c) Introductions – everyone said hello and identified which municipality they represent. d) Review of previous Minutes – April 28, 2022. Everyone was circulated previous minutes. No concerns from participants, nothing to deal with from an “action” perspective. Links for documents were in the minutes.	Mike Pincivero Town of Wasaga Beach
2	Private Lot Level LID structures (e.g. stone soakaway pits, Cultech units,...) a) used as part of overall development SWM control b) private owner maintenance responsibilities c) life span / future replacement <u>Discussion</u> Other municipalities? Peterborough – infiltration trenches have easements required for access and maintenance. Have to have a means to maintain them if they are part of the SWM calculations. W.B. notice in S.A. to purchasers to maintain structures; no easements. Guelph – do not include in overall SWM design. SWM master plan update revisiting this. May do something in the future, as right now it is just a “nice to have”, not a need to have (as not part of the SWM calculations). Thunder Bay – do not account for private soak-aways. Easements on Cultech units and included under ECA. Part of overall SWM. Woolwich do not include in overall calculations for SWM, but have been asked to consider them and are currently discussing how to implement; currently doing an update to Drainage Master Plan. W.B. 1st Drainage Master Plan ongoing now. General discussions: Easements – becomes municipality’s responsibility to maintain and repair. Staff/operations concerns. Private OGS features who maintains them? How do other municipalities handle these? (Marvin) W.B. – no easements over private OGS under site plan agreement – O & M Manuals. In terms of policing – no. Thunder Bay – database of all private OGSs, did an educational approach by conducting inspections on all and providing inspection report info to the owners (advising them what has to be done to maintain). 75% immediate compliance; leaned on sewer by-law infractions for the remainder. Recurring	Mike Pincivero Town of Wasaga Beach

	inspections. Not every year though. Owners still responsible to clean out private system. Who designs LIDS? Developer's Consultant. Contingency Plans? WB: Developer's consultants design with overland flow route considering 50% blockage to be demonstrated. Factor of safety – over design size of LID.	
3	Which municipalities require common element condos (POTLs) water distribution systems to be owned by the municipality rather than private? General consensus from other municipalities? County of Brant – if not a looped system to the municipal system – private. If looped then public. Not preferred from Operations perspective. W.B. do you require backflow prevention if not looped (and “private”)? - no Individual meters or bulk? Easement over road for access to municipal staff to maintain/access, etc. Right to enter site, but not owner of system. Thunder Bay – private - easements in place. Now they are private, risk assessment for backflow or not. Chose to have bulk or individual meters. Considered plumbing under OBC, although apply MECP design standards. Halton Region – obligation stops at the property line – shared facilities agreement outlines maintenance of system every unit gets a water meter. Richmond Hill – stops at street line, bulk meter at street line, typically, but if there are other lands to be serviced run a municipal main through development.	Brian Worsley Town of the Blue Mountains
4	What approach do you use to identify infrastructure replacement costs for asset value upon assumption? If you use a multiplier on Green field construction cost, what is the multiplier (2X?) Halton Region – take value of original asset (construction costs) provided to their “team”. He will provide contact at Halton for T. of BM. W.B. just uses original construction cost. Would appreciate information from Halton, to be provided for all meeting participants. Brant – would also be interested in the information from Halton. POST MEETING NOTES: It appears from preliminary discussions that the differential between reconstruction rates and greenfield rates seems to be less of a concern than other factors such as interest rates and infrastructure lifespan. At the time of circulating these Minutes, Brian was still working on obtaining more information on how certain staff are dealing with PSAB assets for this subject. Brian may have more information for the group at a later date.	Brian Worsley Town of the Blue Mountains
5	Driveway maintenance requirements (in ROW) Maintenance/liability of “apron” area of driveway access into a private site. Policy or By-laws in place? W.B. – no by-law to absolve the town of liability; municipal lands = Town's responsibility. Thunder Bay – North Bay have passed on the responsibility to the Private Owners. Municipality needs to police/enforce it. Not all T.B. sites fall under a Site Plan Agreement. T. of B.M. – can a by-law override municipality's responsibility – ownership? No.	Aaron Ward Thunder Bay (forward invite)
6	Municipal standards / requirements for utility vaults, particularly grade level box covers	Msg forwarded from MEA – Q from lawyer

	Do municipalities have standards for these vaults? W.B.- utilities have their own standards for structural design – location in the boulevard vs travelled area. Richmond Hill – most matters dealt with in their Engineering Standards. Coordinate with utility companies locations within their ROW. Have them identified on their typical cross sections. They do not get involved with location of larger vaults. For “one-offs”, get operations staff to provide comments. W.B. does not identify at grade vaults within our standards. Municipal Consent process gives the opportunity to request appropriate locations and a vehicular load cover be installed for at grade vaults where applicable.	
7	Engineering Department involvement with Infill Lot Grading and Drainage applications a) For additions / renovations, pools, garage, etc. b) Level of effort of review c) Tree preservation d) Securities taken e) Policing non-compliance of plan Markham is seeing an explosion of infill types of builds – demo existing house and build new, etc. What are other municipalities doing for these types of applications? They receive complaints from applicants that process/approvals are taking too long. How do you enforce compliance with approved design? Securities are not sufficient. Sometimes owners choose not to rectify grading issues and it affects the neighbours, then the neighbour complains to Council. How do you enter onto the property to complete repairs? Guelph – building department reviews these applications for additions. Pool permits reviewed by Engineering. Richmond Hill – have staff in engineering to review lot grading and servicing, coordinate with building and operations (for ROW). They require a site plan agreement for single family builds and securities are taken under the SPA. Have never had to “rectify”, but would hold the LC. Richmond Hill & Markham to have an offline discussion. Woolwich – vetted through development engineering staff. Need to take securities from \$1,000 to \$10,000. Amount needs to be high enough that they will not “walk away”, but will want to finish the work. Application/Permit that the owner has to sign prior to approval of works – 1) submit another LG Plan with revised grading; 2) Town will hire someone to complete the works on their behalf if needed to rectify grading (they have done this before). “Private matters” between neighbours, but ultimately, municipality has approved the LG Plan. Also provide help to the affected neighbours. Markham – sometimes repairs could be upwards of \$30,000, so the posted security is not enough. W.B. – CBO can issue an Order to Comply, or hold back occupancy permit (meant final occupancy), as the lot grading approval is part of the Building Permit. (Non-compliance with building permit.) Infill Lot Grading & Drainage Policy outlines design checklist; submissions are reviewed by Engineering Staff (but would like to pass the responsibilities to Building Department), and take securities. Grimsby – noted that CBO cannot withhold occupancy due to lot grading.	Nhat-Anh Nguyen Markham

	Perhaps just “final occupancy” permit. Emma – similar to Woolwich. Stand alone Lot Grading By-law. By-law staff can apply enforcement. Securities as a “carrot”. Will share the LG By-law with everyone. T of B.M. – have managed to keep infill LG with CBO, experience with neighbours – “grading does not comply with engineering standards”, ultimately drainage is a civil issue, but there has to be property damage done to have a civil case. CBO takes certification from Consultant. Mississauga – provided a link to their by-law post meeting, found here: https://www.mississauga.ca/wp-content/uploads/2020/10/05150844/Lot-Grading-and-Municipal-Services-Protection-By-law-0172-2020.pdf	
8	Condominium applications related to townhouses (timing for condo registration, etc.) All items within the common element to be completed prior to condominium registration at Richmond Hill. For POTLs, receive pressure from Developer to get it registered. Mississauga – depends on season, look on these on a case-by-case basis, “interim” and an “undertaking” from the Consultant/Developer. Consultant has to certify the completed works though. Take “flexibility” on themselves to allow occupancies. However, if the buildings have not all been constructed they would not be flexible to clear any conditions and allow the condo registration. Richmond Hill only takes 30% in construction securities for private developments. T. of BM – DP conditions about to expire – take 100 % securities for everything including utilities and then allow registration. Condo Board coming after the Town when items have not been completed, but the Town has allowed registration of the condo. What is the risk? “Be careful how much you bend.” Who is the Developer? Reputable or not? Hold 100% of value of outstanding works and index the construction costs. W.B. – nice to see that other municipalities are having issues that have forced them to utilize LOUs (as WB has had to do similar in the past). Up front, only secure 25% of internal works; however, keep 100% of outstanding works when doing partial security release. “Basic Services” are required for building permits; “Full Services” required for occupancies include everything but top course asphalt. Challenged by Building Dept. that Subdivision Agreement is not “applicable law”, so hard to enforce (to withhold either building permits or occupancies). When considering permitting occupancies / accepting a LOU, site safety is paramount. If just aesthetics / deficiencies, then LOU would be acceptable. R.H. – has to be a functional site, fire route, issuance of building permits too soon. Engineering left holding the “stick”. Also indexes construction costs. Waterloo – Engineering is quite involved with registration of condos. Essential services to be in place (and signed off by developer’s engineer), flow test for fire hydrants, safety lens, all considered prior to signing off. Certification from Developer’s Engineer that essential services are complete. Take 50% construction securities at site plan agreement stage, ask for a	Annie Kwok Richmond Hill

	separate LC – 100% of all costs of outstanding works prior to registration of the condo.	
9	Bill 109 & ECA-CLI – how are municipalities planning to account for this? (Demanding / shorter review timeframes and municipality approvals for ECA, administration / management of same...) Bill 109 – Site Plan, ZBA approvals within 60 days. Pressure on Engineering to turn around comments quicker. ECA-CLI – municipality now the approval authority, more work not necessarily more staff. Richmond Hill – looking at how they are going to handle it and review staffing. That is being led by Planning. Would like to know what others are doing. No legislative timelines on Engineering fees. So they would not be impacted. They do not take Engineering fees until planning process is complete. Peterborough – No way, they can get it done in 60 days. They are looking at issuing “conditional approvals” of Site Plans (to meet the timeline, with the condition being that the developer has to get everything up to standards). Utilize the Streamline Development Approval Fund – reviewing development review fees and looking at additional Staff. T. of B.M.- Approval to hire 2 more development Staff. Hard to find Staff. “Regulations to follow” clarification of Bill 109, but return of Planning fees starts January 2023. CLI – guidelines that go above and beyond OPS. Testing of pipes below water level an example. Waterloo – submission quality has fallen and we cannot control. Streamline Fund received (got a lot of money through this) and looking at streamlining their processes. “Approval in principal” – preliminary review and then go to detailed design. CLI handled by Public Works side (water staff). Engineering already do drawings reviews, so not much difference there. More administrative works than additional review efforts. “Bumping up fees” to account for more full-time employees. Reducing approval time 8-10 weeks could lead to potential cost reimbursement. Grimsby – going to be very careful on when they deem an application complete, making sure that everything is provided. CLI – DWQMS compliance team will run with it. Going to get some “help” to set it up. W.B. – Engineering is a division of Public Works, so CLI management falls to Engineering Staff. Looking to obtain one additional staff to manage these extra efforts. For Bill 109, the timing to approve following receipt of a “complete application” starts the day the submission was received, not the date you deem it to be complete (e.g. if you take it 2 weeks to deem it complete, the clock does not start then).	Mike Pincivero Town of Wasaga Beach
10	Advanced (or tertiary) Sewage Treatment Systems for Individual Lots Systems being proposed to intensify developments. Additional 3rd Party maintenance. Burdens, liability for Health Unit. T. of BM – “reasonable to assume that the property owner will understand their requirements”? Enforcement issues?	Aaron Ward Thunder Bay

	Markham – individual lots? Enforceable under the OBC? Notice to Comply. Thunder Bay – Health Unit is the Authority to enforce septic systems. Not enough staff. Looking to bring that enforcement into the Municipality's responsibility. Municipal water and private sewage. Brant – similar situations to T.B. Will provide contact with CBO for Aaron.	
11	Is there a specific report required for underground parking facilities? WB has high water table and applications are coming forward for Site Plan developments with in-ground parking facilities for private sites. Is there a specific / separate report required for design and/or long-term maintenance? What about details for waterproofing a structure? This is a new situation in WB, and multiple applications with this are forthcoming. Any comments would be appreciated. Markham – shoring contained within the private site. No specific reports required. Shoring system reviewed, tiebacks will not encroach into adjacent lands. Discourage permanent dewatering. Dewatering Permit is required, identify what sewer to dewater to. Waterproofing is not the best design, repair is difficult if you have hydrostatic pressure. T. of B.M.- have to avoid floatation if you are trying to create a “bathtub” (example: a 6-storey “stick” building might not be heavy enough to resist buoyancy). Richmond Hill – hydro-geological report (at zoning stage) reviewed by an expert. Any details for monitoring to be sorted out at Site Plan stage. Discourage permanent dewatering. Structural Report. Shoring tie backs and encroachments are dealt with by Engineering. De-stressed and removed/cut tie backs. Temporary dewatering /discharge reviewed with regard to where to be discharged to (i.e. not to sanitary sewer). Waterloo – hydro-geological report required, one year of data. Do not allow permanent dewatering. Enter into encroachment agreements; 100% security for installation & restoration. Construction dewatering in accordance with their sewer By-law.	Mike Pincivero Town of Wasaga Beach
12	Round Table / Open Mic Peterborough – cost sharing infrastructure agreements for servicing of development projects within municipal ROWs. Will follow up with an email to all and then add to the next agenda. Meeting ended at 12 pm.	All attendees
13	Next Meeting – 1 st Quarter 2023 (TBD)	

Attendees:

Mike Pincivero
Jason Peters
Patti Kennedy
Lori Fox
Mary Angelo
Dhiman Saha

Municipality:

Town of Wasaga Beach
Town of Wasaga Beach
Town of Wasaga Beach
Township of Woolwich
City of Guelph
Town of Ajax

Anwer Mumtaz	York Region
Tolga Aydin	City of Welland
Anca Mihail	Town of Aurora
John Kisneris	Halton Region
Marvin Ingebrigtsen	Town of Grimsby
Annie Kwok	Richmond Hill
Arif Khan	York Region
Zach Staples	City of Peterborough
Paul Guerreiro	City of Richmond Hill
Matt Miedema	City of Thunderbay
Emma Calvert	City of Mississauga
Aaron Ward	City of Thunderbay
Alex Voinescu	County of Brant
Alick Wong	City of Toronto
Annie Kwok	City of Richmond Hill
Thomas Watkins	Town of Ajax
Binu Korah	City of Hamilton
John Lau	Region of York
Brian Worsley	Town of Blue Mountains
Francis Reyes	City of Waterloo
Carl Smith	Municipality of York
Don Cunningham	County of Brant
Jerry Kulyk	Region of Peel
Nhat-Anh Nguyen	Markham
Zach Staples	City of Peterborough

(Apologies if anyone was missed)