

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

Date: Thursday – March 9, 2023

Time: 9:00 a.m. – 12:00PM

Location: Video Conference via Zoom

Item No.	Discussion Topics	
1	Opening Remarks: a) Welcome b) Meeting structure c) Introductions d) Review of previous minutes <u>City of Toronto – Opening with Land acknowledgement?</u> - Difficult with everyone being in different areas. Host (MJP) – This hasn't been brought up yet, but can be considered/ implemented as part of the next MEA DEC meeting. MJP indicated that he would use the WB Council meeting acknowledgement and setup to do this for the meetings moving forward. - A copy of the previous meeting minutes (October 6th, 2022) are attached for your reference.	Mike Pincivero Town of Wasaga Beach
2	SWM tank in underground parking garage on Site Plan, below building – to secure, or not secure, that is the question! Grimsby - Securities for storage tanks within basement of building; Typically Grimsby would take 20% securities of primary services. Developer suggests that securities cannot be taken out on the storage tank as it is within the building footprint and falls under the building code. Guelph – Would not take securities, as it would form part of the building plumbing works. City of Toronto – We have a lot of tanks for underground structures – Toronto only takes securities for works that are within the public right-of-way or that will become municipal infrastructure. <u>Grimsby – If the tank were located on the property but not within the building footprint that will not be assumed by the municipality. Will securities still be taken?</u> City of Guelph & Toronto – If it is on private property and not going to be municipally owned, then the works are not secured. City of Toronto – Developer's Engineer is also required to certify the works. Ajax –Secures for tanks, no pushback for securing tanks in the building.	Marvin Ingebrgtsen Grimsby

	Ajax – Quite often we do not have mechanical drawings for the buildings, may be an overreach, but we strive to secure for the tanks. <u>Grimsby – Developer concerned that the City would not release securities until the building is complete.</u> Bradford – Private site plans – Everything would be released at final, Bradford takes securities on the whole site. Upon final certification of the works, then securities are released. City of Toronto – No securities on the private side, only certification for the Engineering. <u>Grimsby – Does the City of Toronto have a separate Agreement aside from the Site Plan Agreement?</u> City of Toronto – Municipal infrastructure Agreement – For works that are being done on Public infrastructure/ most for works that are being done in the right-of-way. <u>City of Markham – If the developer has to install a water lateral (i.e. service connection only), is there a Municipal Infrastructure Agreement?</u> City of Toronto – All works in the right-of-way are complete by a City pre-qualified contractor, therefore, a MIA is not needed, only if works are being done on major infrastructure (i.e. mainline work). City has an upset limit of 500k, any service work in exceedance of that amount requires an MIA.	
3	Cost Sharing Agreements for infrastructure in ROWs Absent – Topic not discussed, topic to be discussed at the next meeting.	Zach Staples Peterborough
4	Development Engineering Review Fees: 1. Engineering fee collected by your municipality for different types of development applications (e.g. site plans, subdivisions, OPA, RZ, etc.); 2. What that fee covers (review, inspection, overhead, support to other departments involved in the review of development applications) and do they reflect the level of effort; 3. Whether the development/engineering review group are fully funded from engineering fees; 4. Fee by-law: can we share with each other (it's such a pain in the rear to search through the various municipality websites to locate them); 5. Increase in fees – how does that get determined and what analyses get done to support/justify fee increase 6. Consultation with the development industry Markham – Previously worked at the Town of Innisfil, Innisfil bills by the Hour (15 minute intervals), no percentage billing. Usually worked out to 90% cost recoverable (paid by developer) and 10% on the tax levy. Developer's appreciated this, because they found it to be cheaper. Now I work at the City of Markham and we bill based on a percentage basis (which appears to be a rather high percentage rate). Innisfill tried to introduce a 7.5% fee structure, which was not entertained by the Developers as that percentage was more in line with their design consultant fees. Markham charges one flat rate percentage, which is approximately 14.3% for 2023 for most	Nhat-Anh-Nguyen Scott MacKenzie Markham

infrastructure. Markham also charges by gross floor area for site plans. Currently conducting an internal fee review and would like to know what other municipalities are charging.

Markham - Is it possible for all municipalities to provide a copy of their Engineering review fee schedule?

City of Vaughn – Hot topic, hired a cost consultant and the consultant supported the 7.5% which we collect. May implement a cost index, looking to hire a consultant to determine the cost index. ICI development cost of ESA. Residential has been per unit. Challenged on condos (reduced fee after 100 units), recent revised fees for street towns. Argument, consultant fees are less than Town fees, why? Response: Review fee includes, all review, meetings, site inspections etc... Had a consultant review the fees on a hourly basis, result overall was that 7.5% is not enough. Vaughn is also increasing the fees beyond 7.5%.

City of Windsor – Review took place in 2018, Windsor was not charging any fees at the time. Started with a 3% development review fee for subdivision reviews and servicing agreement reviews, development group does not collect any fees for site plan reviews, OP amendments or committee of adjustments. In 2020, increased the rate to 4% review fee. As part of the bill 23, looking into a specific stormwater management review fee for site plan reviews of building permits that will require stormwater management.

Windsor - Curious if any municipality has a specific stormwater management review fee?

TWB – No specific fee for SWM review. Forms part of the overall engineering review fee.

Town of Whitby – Regularly review development review fees (usually consultant lead) and it is a public process, which includes public reporting component. Does Markham's 14% fee include engineering review and construction inspection?

Town of Markham – Yes, the fee covers both. Take first 60% at pre-servicing Agreement (based on preliminary cost estimate).

TWB – Has a deposit process, take 25% at the 1st submission review, difference is made up at the Subdivision Agreement stage.

Whitby – Has a minimum review fee.

<https://www.brant.ca/en/council-and-council-administration/fees-and-charges.aspx#Development-Services>

City of Vaughn – No SWM review fee

Town of Grimsby – No SWM review fee

Town of Richmond Hill – No SWM review fee

Richmond Hill – 6.2% for review and 4.2% for inspection review. Inspection review goes into a different account, to pay for the inspectors time. Currently tracking type and quality of applications. Tracking amount of time being spent towards

	application. Don't charge fees for OPA or Zoning, all of those fees are collected at the end through the Site Plan Agreement. Different departments take their own fees; Site Plan Agreement (Planning, Administration Fees and Legal) for the preparation. However, when there is a servicing Agreement for municipal works and there is a site plan, take fees in both instances. Toronto – Planning collects fees for the Planning Applications and each of the commenting divisions collect fees to cover the cost for servicing review for development applications. If there is new infrastructure proposed, through the MIA the City charges 5% to cover review and inspection (for site plans, there is a different percentage for Subdivision). Fee review is completed on a regular basis (consultant assignment) at the City, staff have to track their time on the applicant and for their review (which informs the fee review). TWB – On a sliding scale from 4-5% based on the size of the development. Fees – City of Toronto	
5	Bill 23 implications – 10 units or less = no Site Plan required: 1. Goes straight to Building Permit? 2. Need a by-law for control of process?... City of Toronto – Have a separate review team for non planning review applications (historically was 6 units or less). Also curious about this topic as well. The non planning application review is reviewed by another arm of the Engineering Department. City of Guelph – Staff have been meeting a lot with Building, Planning and Engineering. Going down the path of establishing that many of the engineering requirements are still applicable law (drainage, servicing etc...). Where we are struggling is the road widening requirement(s). Perhaps need to update the wording in our OP or the Building by-law to allow municipality to request road widenings. <u>Town of Whitby – Can you expand on applicable law?</u> City of Guelph – Building code still allows us to review for drainage/ grading. May not be able to ask for a full blown stormwater management report, but we still need to review to ensure that the drainage will not be negatively affecting the neighbour. Town of Milton – Bill 23 – Our Dev. Eng. Division reviews building permits for grading and drainage under current regime, however, our by-law does not allow us to have grading plans submitted as part of the complete application process/ procedure in the by-law. Currently updating by-law to allow for the request. Currently working on a Stormwater masterplan, to help provide guidance in terms of volume control, rate control for stormwater management purposes. With intention to allow consultant to choose “off the shelf” design that some of the smaller properties can select from the manual to help with the drainage issue we foresee coming. <u>All of these items would be required at the building permit application stage?</u> City of Windsor – Currently under review. Historically we have reviewed the stormwater/ grading for properties that don't fall under the SPC process. Use building code and building permit as vessel to review SWM. Looking to update the building by-law to be more prescriptive.	Rollie Orial Whitby

City of Hamilton – Already has a process in place for 10 units or less. On the Town's website there is council report that addressed this; Zoning By-Law 05-200 section 4.22.

The Zoning by-law is in conformity with the Building By-Law. We also have water and sewer permit. Building Code (section 7) also makes reference to service connections. City of Hamilton has two types of by-laws; Sewer Drain by-law and water services by-law, both by-laws indicate that a water/ sewer permit. Therefore, in that regard we are actually going to look at the water, sanitary, storm and grading. Storm is always associated with grading, therefore I believe we can ask for these items and review accordingly.

One issue is that we cannot get a right-of-way widening at this current time. What the City of Hamilton is now trying to do is update out zoning by-law 05-200 and include in our Official Plan for the right of way widening for units of 10 or less.

Another issue is Waste collection, which is a challenge. Another challenge is 10 unit on Arterial road, cannot ask for turning lanes. Another issue is noise walls, cannot ask for noise walls, because there are no site plans. Cannot ask for sidewalk extension, which we can no longer ask for because there is no site plans. 10 Units, main challenge is street furniture such as the utilities, bus stops, hydrants...

There is a catch, the City of Hamilton also has a tree by-law, therefore, you cannot cut any trees until you have permission from the city.

As part of this process, the City is amending By-law 15-091 to ensure that any applicant moving forward provides a security to deal impact to the right-of-way – security is required to complete for any work within the City's right-of-way.

Any building permit, is required to have a zoning review (which refers to our by-law) which speaks to parking. This can all be completed through Zoning Compliance review; recommend coordinating with your Planning Department.

Richmond Hill – Bill 23 – A lot of our applications that would be subject to a site plan control area, are now going to a different team that reviews developments outside of site plan control. They review the grading/ servicing, those applications are proceeding through a site alteration permit. Part of the control is that Planning is going to require zoning by-law amendment applications for developments such a 9 townhouse units in an area that is zoned for single family units.

Building does not issue a permit until they see an approved Site Alteration Permit.

Town of Whitby – As of right zoning, how can you address these items under a zoning review?

Richmond Hill – Currently making amendments to the Zoning By-Law.

York Region – Email →

With Bill 23, projects with 10 or less residential units are no longer considered 'development' and do not require Site Plan Approval from the local municipalities and the York Region. These projects only require a building permit from a local municipality's Building Department. There is no applicable law that requires a Building Department to obtain Regional sign-off prior to issuing a Building Permit, except for projects in a Well Head Protection Area or that will require a Contaminant Management Plan for the storage of bulk fuels or chemicals on the site.

	However, developers/applicants still require York Region's approval and Road Occupancy Permit before undertaking any construction works within the Regional road allowance. This will allow York Region to review and approve engineering works such as access construction, storm and water services connections, boulevard grading, stormwater management in case of required discharge to a York Regional road, and erosion and sediment control measures at the property line so sediments are not conveyed to a Regional road, to mention a few. York Region needs continued collaboration, coordination, and partnership with local municipalities within the Region of York for the 10 or less residential units' projects abutting a York Regional road. The local municipality's Planning/Development Engineering/Building Department staff should let the developers/applicants know that the developers/applicants will require York Regional approvals and Road Occupancy Permits for works within a York Regional road. The City of Richmond Hill staff responded that the City is aware of this issue, and it has been/will be instructing developers/applicants accordingly to obtain approvals and Road Occupancy Permits from York Region.	
6	Encroachments into Heritage Conservation Districts City of Windsor – Currently amending encroachment policy to include Heritage Encroachments, encroachments on heritage properties within heritage districts. Reached out to the group to see what other municipalities are doing that have heritage conservation districts. Coordination with our Planning department: If encroachment by-laws were silent and if it wasn't within a by-law related to the heritage area, they were treating these encroachments as per their current policy in place. <u>Looking for information on any best practices for encroachments in to the right of way or any landscaping best practices or procedures they would like to share?</u> Richmond Hill noted that they had replied to Amy's email and provided some info, which Amy said was quite helpful.	Amy Olsen City of Windsor
7	LED Street lighting Design Standards: 1. Height 2. House shields 3. Different height etc. for local vs collector roads... TWB – Can you share what your municipality specifies in your Engineering Standards? Recently gone with cobra head streetlight designs rather than post tops due to product availability and cost. TWB also finds the post tops don't provide as much light as the cobra heads. Richmond Hill – Has recently updated standards (updated in 2022) link added to chat → https://www.richmondhill.ca/en/find-or-learn-about/resources/Design-Standards/Division-E-Utilities.pdf	Mike Pincivero Town of Wasaga Beach

	Whitby → https://www.whitby.ca/Departments/Design-Criteria-and-Engineering-Standards.pdf Windsor → https://www.citywindsor.ca/cityhall/City-Council-Meetings/Documents/Council%202023/Public%20Agenda%20February%2027,%202023%20with%20item%20numbers%20and%20page%20numbers.pdf Brant – Currently going through development standards, therefore, Brant is also interested in what other municipalities are doing.	
8	Vibration monitoring programs: 1. Minimum standards / requirements 2. How much to do pre-condition survey for multi-storey / apartment buildings 3. Complaint response protocol Ajax – Vibration complaints/ claims are forwarded onto the developer as they are typically an issue caused by the development, not by the Town. Request pre-condition surveys. Richmond Hill – Developed a construction and traffic management guideline which is part of our City Standards. Within that guideline we speak to private sites/ development and specifically pile driving, which is typically the primary issue with vibration in Richmond Hill. Put onus on the developer to be a “good neighbour” to undertake all of the pre-construction surveys and for their acoustic engineer to determine the zone of influence of vibrations. Capital delivery group also has specifications to deal with construction vibrations (such as velocity criteria, frequencies near heritage buildings, existing water/sewer infrastructure). Whitby – The Town also requires pre-condition surveys for developments adjacent to existing structures. Leave the determination of the zone of influence to the consultant as we do not have in house expertise. Hamilton – Applicants have to submit a vibration monitoring report to confirm the vibrations are within the limit specified. Especially if the building adjacent to construction is an older building. As part of the construction process, the applicant/ developer will have to enter into a monitoring program, this is the responsibility of the developer to monitor (site plan or subdivision). Any impact on the neighbouring properties is the responsibility of the developer (private legal matter). Hamilton – City is not the developer, City transfers all of the responsibility to the developer through the Agreement with the Town. Within the Agreement, ensure to advise that any vibrations or impacts to adjacent lands that are created by the developer is their responsibility to address. CCTV/ pre-condition survey to be complete prior to construction and CCTV to be completed at the end of the project. Whitby - Our Construction Management Report requires developers to send letter to residents with the consultant's emergency contact info. Richmond Hill – Circulates construction notices and includes the local councillor, which helps to alleviate random construction complaints to councillors.	Jason Peters Town of Wasaga Beach

9	Agreements for deferred land dedications through SPCAs Absent – Topic not discussed, topic to be discussed at the next meeting.	Aaron Ward Thunder Bay
10	How municipalities deal with contractors working on municipal sewers: 1. Is there an approved list? 2. If so, are there measures in place that allow municipalities to remove contractors? 3. What are the requirements / process to allow contractors to work on city sewers? Markham – Do not allow individual home owners to complete the sewer work. Currently the City hires a contractor to complete the work for the home owners. This work is tendered annually and the City manages the work. <u>City of Windsor – Do the property owners own the lateral in the right of way?</u> Markham – In Innisfil, the owners do not own the lateral in the road, however, the owner would enter into an external works agreement and there would be securities and the home owner would have to hire their own inspector. City of Windsor – Property owners own right to the main. Current list of approved contractors is up to 37 contractors. City is having issues with the work and issues removing contractors from the list. City of Toronto – Only City employees or pre-approved contractors can complete the work on laterals for property owners. Capital projects have a pre-qualified contractor list. There is a contractor evaluation process, however, even if the contractor fails the evaluation it is difficult to remove them from the list. Wasaga Beach – Laterals in R.O.W are owned by the Town, we have a pre-qualified list of contractors. The home owner is the applicant for an ROP and the ROP is signed by both the applicant (home owner) and contractor (on pre-approved list), includes the contractors insurance, WSIB etc... There is also a damage deposit and if any damages exceed the deposit, the Town can apply the difference in cost to the property taxes if the issues are not rectified to the satisfaction of the Town. Inspections are done by Town staff. Pre-qualified list is for “infills”. If a contractor wishes to be added to the pre-qualified list, the Town has a reference request form that the contractor can fill out 3 municipal references and we also have a standard reference check questionnaire, both of which can be shared (attached to these Minutes). Markham – annually hire 4-5 contractors through tender. <u>Markham – Do you allow the homeowner to hire the contractor(s) and enter into an ROW permit?</u> Wasaga Beach – Yes, ROP and both the applicant and their contractor sign the application, include the contractor’s insurance. The contractor is required to be on the pre-approved list. Halton Region – Has multiple pre-qualified contractors for speciality work (e.g. watermain tapping). Also have pre-qualified CCTV contractors, pre-qualified	Amy Olsen City of Windsor

	contractors for commissioning of watermain, pre-qualified contractors for fire-flow rate testing. Milton – Similar to Halton	
11	Approved Materials list in Engineering Standards: 1. Do you have one? 2. How are they managed / updated? Markham – Innisfil has a materials list attached to their Standards. In the Standards there is an application for suppliers to ask to be added to the list. The materials list would be updated based on the applications from different suppliers, or if a member of the operations or engineering team went to a conference and found a new product the Town liked, the application would be circulated through the various departments and tested in a subdivision under maintenance and if approved it would be added to the list. In some cases, the supplier may be asked to provide a lunch and learn. Markham - The City of Markham has a materials list committee that will meet quarterly or twice a year to review and establish approved materials (or in some cases remove them), this is currently in the works. Wasaga Beach – Currently has a materials list, looking to update approved materials list, however, question what other municipalities have a materials list included within their Standards. <u>In Innisfil, when the materials list is updated is it going to council?</u> Markham – Updated list was maintained at staff level, did not go to council unless it is a product outside of a policy (e.g. product does not adhere to Town's sustainable policy). Markham – Another option is to lean on the MTO list (i.e. If you're on the MTO list, then we will accept that product). Guelph – Regional approved materials list. Reviewed and revised and implemented as a group. Windsor – Materials list is included in the City's specs. Have internal spec committee that reviews all spec's/ changes to spec's. Do not have a regional group to review materials/ spec's. Whitby – Town of Whitby has a materials list. Wasaga Beach – Looking to lean on Wamco to review the list and provide insight into new or old products that could be implemented to the list. Markham → https://www3.markham.ca/Markham/aspc/engineeringPortal85/drawings/getPDF.aspx?ATTACHMENTRSN=601942 Region of Waterloo also provided via email: https://www.regionofwaterloo.ca/en/doing-business/resources/Documents/2023_DGSSMS_Update.pdf	Mike Pincivero Town of Wasaga Beach

	"Part C in the document outlines the materials and products that are approved for use in the Region. A committee comprised of area municipality representatives consider applications from manufacturers/vendors throughout the year, and we update the approved materials list annually."	
12	Does anyone have standard site report templates (perhaps fillable pdf, etc.) to be used on tablets that they can share? Markham – Recommends reaching out to the Town of Innisfil (Dan Powell) to review and inquire about any forms the Town is using in field for their tablet. All site reports were done on an Ipad, photos would capture GPS coordinates and linked to GIS system. Recommend reaching out to Dan.	Mike Pincivero Town of Wasaga Beach
13	<u>Round Table / Open Mic</u> 1. Whitby has their CLI-ECA, but Region of Durham doesn't have their CLI-ECA yet. Wasaga Beach – Recommends reaching out to the Christopher.manning@ontario.ca with any questions pertaining to the CLI-ECA process.	Rollie Orial - Town of Whitby
14	1. Storm Finance Study 2. What software are other municipalities using for their stormwater financing? Vaughn - Use excel sheet to track the properties. In order to communicate with staff MS Access was used. Wasaga Beach – Town of Wasaga Beach has multiple ditches, storm sewers, LID's etc... <u>Does Vaughn have different rates for different uses?</u> Vaughn – Vaughn is predominantly urbanized with storm sewers. City of Windsor – We have municipal drains, storm sewers, farmland, ditches etc... Therefore, there may be some areas that will be exempt.	Adam Pillon – City of Windsor
15	1. Bill 23 and Bill 109 Implications City of Windsor – Planning to frontload our development review process. There is a lot more detail in our report. Milton – Updating by-law, however, requiring all applications to come in for a pre-submission with all materials. Also looking at providing approvals with conditions. York Region – Region has concerns with regard to properties that abut regional roads. Has there been any discussions with regard to asking the developers of sites with 10 units or less to require approval from the region?	Stacy McGuire – City of Windsor
16	Links from meeting chat or received via email - https://www.brant.ca/en/council-and-council-administration/fees-and-charges.aspx#Development-Services Fees – City of Toronto	

	https://www.richmondhill.ca/en/find-or-learn-about/resources/Design-Standards/Division-E-Utilities.pdf https://www.whitby.ca/Departments/Design-Criteria-and-Engineering-Standards.pdf Halton - Download Engineering Design Guides & Manuals Request a Water/Sewer Service Connection or Disconnection – City of Toronto Division E - Utilities (richmondhill.ca) https://www.citywindsor.ca/cityhall/City-Council-Meetings/Documents/Council%202023/Public%20Agenda%20February%2027,%202023%20with%20item%20numbers%20and%20page%20numbers.pdf	
17	Next Meeting – Summer 2023 (TBD)	

ATTENDEES:

1. Lau JCP – York Region
2. Bryan Bishop – Township of Woolwich
3. Jason Peters – Town of Wasaga Beach
4. Mike Pincivero – Town of Wasaga Beach
5. Taylor Boyle (Town of Grimsby)
6. Amy Olsen – City of Windsor
7. Tolga Aydin - City of Welland
8. Julie Tot – County of Brant
9. Scott MacKenzie – City of Markham
10. Mauricio Saya – York Region
11. Rollie Orial – Town of Whitby
12. Dan Polak – Town of Whitby
13. Carl Leung – Town of Whitby
14. John K – Halton Region
15. Annie Kwok – Richmond Hill
16. Bryan Bishop – Township of Woolwich
17. Dhiman Saha – Town of Ajax
18. Don Cunningham – County of Brant
19. Kevin Dlishny – Region of Waterloo
20. Marvin Ingebrigsten – Town of Grimsby
21. Mary Angelo – City of Guelph
22. Sadd Yousaf – Vaughn
23. Stephen Ruddy - Ajax
24. Thomas Watkins - Ajax
25. Grace Tesa – City of Toronto
26. Smith Carl - Unknown
27. Tom Wheeler – Bradford WG
28. Alic Wong – City of Toronto
29. Anita Sparre – Town of Milton
30. Ary Rezvanifar – City of Vaughn
31. Alex v – City of Brant
32. Trevor Cathwood – York Region
33. Amy Olsen – City of Windsor
34. Jerry - Region of Peel
35. Anwer Mumtaz – York Region

36. Andrea Dale – Town of Witby
37. David Mhango – York Region