

THE CITY OF TORONTO

City Clerk's Division

Minutes of the Works Committee

Meeting No. 9

Wednesday, July 4, 2001

The Works Committee met on Wednesday, July 4, 2001, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 9:40 a.m.

Members Present:

9:40 a.m.-12:50 p.m.

(In Camera: 10:15 a.m.-10:45 a.m.)

Councillor Betty Disero, Chair	x
Councillor Jane Pitfield, Vice-Chair	x
Councillor Bas Balkissoon	x
Councillor Frank Di Giorgio	x
Councillor Irene Jones	x
Councillor Jack Layton	x
Councillor Gloria Lindsay Luby	x
Councillor Peter Li Preti	x

Also Present:

Councillor Chris Korwin-Kuczynski
Councillor David Shiner

Members were present for some or all of the time period indicated.

Confirmation of Minutes.

On motion by Councillor Di Giorgio, the Minutes of the meetings of the Works Committee held on June 6, 2001, and June 21, 2001, were confirmed.

**9.1 Upgrade of Aeration Tanks Nos. 7 and 8 at
Highland Creek Treatment Plant -
Contract No. 01FS-30WP, Tender Call No. 105-2001.
(Ward 44 - Scarborough East)**

The Works Committee had before it a joint report (June 20, 2001) from the Commissioner of Works and Emergency Services and the Interim Chief Financial Officer and Treasurer recommending that:

- (1) Contract No. 01FS-30WP, Tender Call No. 105-2001, for the construction of the upgrade of Aeration Tanks Nos. 7 and 8 at the Highland Creek Treatment Plant, be awarded to W.A. Stephenson Mechanical Contractors Limited at a total lump sum price of \$3,270,000.00 including all taxes, charges and a contingency allowance of \$200,000.00 for potential additional work, being the lowest Tender received; and
- (2) in the event that W.A. Stephenson Mechanical Contractors Limited refuses to execute the contract agreement, authority be granted:
 - (a) to award Contract No. 01FS-30WP to the second lowest tenderer, Bennett Contracting Millgrove Ltd., in the total lump sum amount of \$3,534,000.00 including all taxes, charges and a contingency allowance of \$200,000.00 for potential additional work; and
 - (b) for the City Solicitor to take the necessary steps, including a claim against the Bid Bond, and institution of any necessary court action, to recover from W.A. Stephenson Mechanical Contractors Limited, or its Surety, the additional costs the City of Toronto incurs by reason of failure of W.A. Stephenson Mechanical Contractors Limited to execute the contract; and further that, upon institution of any court action, the City Solicitor be authorized to settle the action, if deemed advisable by the Commissioner of Works and Emergency Services.

Mr. Graham Duncan, President, W.A. Stephenson Mechanical Contractors Ltd., and Mr. Glenn Ackerley, Weir Foulds, appeared before the Committee in connection with the foregoing matter.

On motion by Councillor Layton, the Committee met privately to discuss the foregoing matter, having regard that the subject matter being considered relates to the security of the property of the municipality or local board, in accordance with the Municipal Act.

On motion by Councillor Di Giorgio, the Committee recommended to Council the adoption of the aforementioned joint report, subject to amending Recommendation No. (2)(b) to read as follows:

“(b) for the City Solicitor to take the necessary steps, including a claim against the Bid Bond, and institution of any necessary court action, to recover from W.A. Stephenson Mechanical Contractors Limited, or its Surety, the additional costs the City of Toronto incurs by reason of failure of W.A. Stephenson Mechanical Contractors Limited to execute the contract; and further that the City Solicitor be authorized to settle or discontinue the action or claim, if deemed advisable by the Commissioner of Works and Emergency Services.”

(Clause No. 7, Report No. 12)

9.2 Basement Flooding - 689 Old Weston Road.

The Works Committee had before it a communication (May 30, 2001) from Councillor Betty Disero, Ward 17 – Davenport, forwarding correspondence relating to basement flooding at 689 Old Weston Road, and advising that the property owner, Mr. Paul Moulton, is requesting that consideration be given for an exemption from the policy adopted by City Council and thereby requesting full compensation under the Basement Flooding Protection Subsidy Program.

Councillor Disero requested the permission of the Committee to withdraw the aforementioned communication, which was granted.

(Clause No. 18(a), Report No. 12)

9.3 Works Best Practices Program - Status Report No. Three.

The Works Committee again had before it a report (May 25, 2001) from the Commissioner of Works and Emergency Services forwarding the third status report on the Works Best Practices Program, which provides an overview of the program and its progress to date, including benefits achieved and costs incurred from program inception since 1996, and which highlights the major tasks planned for 2001; and recommending that this report be received for information.

The Committee also again had before it the following communications:

- (i) (June 6, 2001) from Mr. Bill Guthrie, Vice President, Toronto Civic Employees' Union, CUPE Local 416, highlighting difficulties experienced as a result of displacements in the Water and Wastewater Services Division; and requesting that City Council direct management to enter into a joint redeployment program with Local 416 as soon as possible to facilitate the placement of workers displaced by the Works Best Practices Program; and
- (ii) (June 6, 2001) from Ms. Ann Dembinski, President, Toronto Civic Employees' Union, CUPE Local 79, advising that CUPE Local 79 has serious reservations about the Works Best Practices Program in light of the third status report, and urging the Committee to refer the report back to the Commissioner of Works and Emergency Services for a comprehensive review of quality services.

The Committee also had before it a report (June 27, 2001) from the Commissioner of Works and Emergency Services responding to the Committee's request for an update with respect to the communications from CUPE Locals 416 and 79 submitted at the meeting of the Committee on June 6, 2001; advising that staff believe that adequate vehicles and remedies exist for discussion and issue resolution between the City and both locals; noting that status reports will be issued every six months for the Committee to monitor progress; and recommending that this report be received for information.

On motion by Councillor Pitfield, the Committee received the aforementioned reports and communications.

(Commissioner of Works and Emergency Services; Mr. Bill Guthrie; Ms. Ann Dembinski; c: General Manager, Water and Wastewater Services - July 4, 2001)

(Clause No. 18(b), Report No. 12)

9.4 City-Wide Service Levels for Sidewalk Snow Clearing, Leaf Collection and City Cleanliness.

The Works Committee had before it a communication (June 6, 2001) from the Acting City Clerk advising that the Works Committee at its meeting on June 6, 2001, had before it a report (May 29, 2001) from the Commissioner of Works and Emergency Services respecting City-wide service levels of sidewalk snow clearing, leaf collection and City cleanliness; and further advising that the Committee:

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- (1) recommended to Council the adoption of Recommendations Nos. (1) and (2)(a) contained in the aforementioned report respecting the City snow-clearing policy;
- (2) deferred consideration of the following Recommendation No. (3) until its next regular meeting, scheduled to be held on July 4, 2001:
 - “(3) the special mechanical leaf collection provided to selected areas within the City be discontinued and all residents be required to bag leaves from private property and adjacent boulevards.”;
- (3) requested the Commissioner of Works and Emergency Services to report directly to the Community Councils on the cost to contract out mechanical leaf collection; and
- (4) requested the Community Councils to submit their recommendations and comments with respect to Recommendation No. (3) to the Works Committee for its next meeting.

The Committee also had before it the following communications:

- (i) (June 15, 2001) from the Acting City Clerk advising that the Downtown Community Council at its meeting on June 12, 2001, recommended the adoption of Recommendation No. (3) of the report (May 29, 2001) from the Commissioner of Works and Emergency Services;
- (ii) (June 13, 2001) from the Acting City Clerk advising that the East Community Council at its meeting on June 12, 2001, recommended with respect to Recommendation No. (3), contained in the report (May 29, 2001) from the Commissioner of Works and Emergency Services, that leaf pick-up be harmonized uniformly across the City as soon as possible based on criteria;
- (iii) (June 13, 2001) from the Acting City Clerk advising that the Midtown Community Council at its meeting on June 12, 2001, recommended adoption of Recommendation No. (3) contained in the report (May 29, 2001) from the Commissioner of Works and Emergency Services;
- (iv) (June 18, 2001) from the Acting City Clerk advising that the North Community Council at its meeting on June 13, 2001, recommended to the Works Committee and Council, that Recommendation No. (3) embodied in the report (May 29, 2001) from the Commissioner of Works and Emergency Services be received;
- (v) (June 18, 2001) from the Acting City Clerk advising that the Southwest Community Council at its meeting on June 12, 2001, recommended to the Works Committee that:

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- (1) Recommendation No. (3) contained in the report (May 29, 2001) from the Commissioner of Works and Emergency Services, with respect to the discontinuation of the special mechanical leaf collection, be adopted; and
- (2) the Commissioner of Works and Emergency Services be requested to report to the Works Committee on expanding City-wide, the current Sidewalk Snow Clearing Program for:
 - (i) seniors and the disabled; and
 - (ii) all public schools located on local roads, in addition to schools on collector and arterial roads; and
- (vi) (June 15, 2001) from the Acting City Clerk advising that the West Community Council at its meeting on June 13, 2001, recommended to the Works Committee that consideration of the discontinuance of the mechanical leaf collection program be deferred until beyond 2001, pending submission of a report from the Commissioner of Works and Emergency Services on the possibility of each Community Council Area having a discretionary fund for the provision of unique services, including mechanical leaf collection and snow removal.

Councillor Disero appointed Councillor Pitfield Acting Chair, and vacated the Chair.

On motion by Councillor Disero, the Committee:

- (a) deferred consideration of the aforementioned communications from the Acting City Clerk with respect to City-wide service levels for harmonization of mechanical leaf collection until its meeting scheduled to be held on October 17, 2001;
- (b) recommended to Council, for consideration with Clause No. 2 of Report No. 11 of The Works Committee:
 - (1) the establishment of a Working Group comprised of Councillors Pitfield and Lindsay Luby and one member of the Economic Development and Parks Committee; and
 - (2) that the mandate of the Working Group shall be to consult with all Members of Council and to develop a public survey of service delivery with communications staff of the Works and Emergency Services Department as follows:

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- (i) the survey to be completed by the end of September 2001 and the results forwarded to the Works Committee for its meeting on October 17, 2001; and
 - (ii) the survey to focus on public opinion on service level standards and public priorities with respect to hard services, such as garbage collection, snow removal, leaf collection, street cleaning, litter and water services; and
 - (iii) the survey to be broad-ranging with a minimum of 100 residents per ward; and
- (c) requested that the Economic Development and Parks Committee recommend to Council the appointment of one member of the Committee to the proposed Working Group.

(City Council; Economic Development and Parks Committee; Works Committee; c: Commissioner of Works and Emergency Services; General Manager, Transportation Services - July 4, 2001)

(Clause No. 18(c), Report No. 12)

Councillor Disero resumed the Chair.

9.5 Noise Mitigation Efforts for Audible Pedestrian Signals.

The Works Committee had before it a report (June 13, 2001) from the Commissioner of Works and Emergency Services responding to a request from the Planning and Transportation Committee to report on the cost and feasibility of amending audible traffic signals to reduce ambient noise levels by utilizing receivers for people who require them; and recommending that this report be received by the Works Committee and forwarded to the Planning and Transportation Committee and the Board of Health for information.

Ms. Lois James appeared before the Committee in connection with the foregoing matter.

The Committee received the aforementioned report, and directed that it be forwarded to the Planning and Transportation Committee and the Board of Health for information, as recommended.

(Planning and Transportation Committee; Board of Health; c: Commissioner of Works and Emergency Services; General Manager, Transportation Services; Ms. Lois James - July 4, 2001)

(Clause No. 18(d), Report No. 12)

9.6 Pedestrian Crossovers.

The Works Committee had before it a report (June 19, 2001) from the Commissioner of Works and Emergency Services responding to the request of the Committee at its meeting of February 7, 2001, that the Commissioner of Works and Emergency Services examine improving pedestrian crossover signs to determine whether a more effective colour could be introduced, in particular, the colour red; discussing the purpose, design and criteria for installation, uniformity and current usefulness of pedestrian crossovers in the City of Toronto; advising that the design and installation criteria are a provincial standard which is set out within the regulations of the Highway Traffic Act and the Manual of Uniform Traffic Control Devices for Ontario; and recommending that this report be received for information.

The following persons appeared before the Committee in connection with the foregoing matter:

- Ms. Rhona Swarbrick, Chair, Toronto Pedestrian Committee; and
- Ms. Lois James.

The Committee:

- (1) recommended to Council that the Province of Ontario be requested to consider amending Section 140 of the Highway Traffic Act of Ontario to provide the option for the use of red flashing beacons to replace yellow flashing beacons at particular high-traffic pedestrian crossover locations where speed is an issue; and **(Motion by Councillor Balkissoon, as amended by Councillor Pitfield)**

- (2) requested the Commissioner of Works and Emergency Services to submit a further report to the Committee with a breakdown of the number of pedestrian crossovers that are on the different categories of roadways, and on staff's assessment of replacing pedestrian crossovers with pedestrian activated traffic signals over a staged process, with arterial roads first, including costs for such conversion.
(Motion by Councillor Balkissoon)

(Commissioner of Works and Emergency Services; c: General Manager, Transportation Services - July 4, 2001)

(Clause No. 16, Report No. 12)

9.7 Cost Sharing of Grade Separations in the City of Toronto.

The Works Committee had before it a report (June 20, 2001) from the Commissioner of Works and Emergency Services responding to the request of the Committee at its meeting of July 12, 2000, for a report on several issues related to cost sharing for the construction of rail grade separations in the new City of Toronto; advising that the viability of embarking upon a proactive program of grade separations at this time on a City-wide basis is unlikely without a considerable and sustained funding commitment on the part of City Council and senior levels of government; noting that staff will continue to evaluate the need for grade separations at site specific locations with implementation through the annual capital program with due regard to City-wide needs and priorities; that staff will also continue investigating alternative funding scenarios through private development initiatives, ongoing discussions with railway companies and senior levels of government; and recommending that this report be received for information.

The Committee received the aforementioned report for information.

(Clause No. 18(e), Report No. 12)

9.8 Toronto Bike Plan and 2001 Cycling Projects.

The Works Committee had before it a communication (May 22, 2001) from the City Clerk advising that the Toronto Cycling Committee at its meeting on May 14, 2001:

- (1) requested that the report (May 11, 2001) from Mr. Daniel Egan, Manager, Cycling and Pedestrian Infrastructure Unit, respecting the Toronto Bike Plan and 2001 Cycling Projects, be forwarded to the Planning and Transportation Committee and the Works Committee, for their information; and
- (2) requested that the Commissioner of Economic Development, Culture and Tourism, be advised that the Toronto Cycling Committee strongly endorses the acquisition of the abandoned CN Leaside Branch, by the City of Toronto, for the purpose of connecting the Upper Don Trail to the Lower Don Trail, providing a continuous cyclable off-street route through the City of Toronto, as recognized in the Toronto Bike Plan and the Victor Ford Associates Hydro Rail Corridor Study.

The Committee received the aforementioned communication for information.

(Clause No. 18(f), Report No. 12)

9.9 Drain Grant Appeal for 92 Gillard Avenue. (Ward 30 - Toronto-Danforth)

The Works Committee again had before it a report (May 31, 2001) from the Commissioner of Works and Emergency Services advising that an appeal to a partial drain grant rebate has been made by Mr. Bruce Swaby, the property owner of 92 Gillard Avenue, and that the applicant is requesting the maximum of \$1,500 to cover his costs of \$1,979.50 for partial repairs to the exterior portion of his private drain, as well as costs of \$360 for subsequent drain blockage work; and recommending that this appeal be denied due to the maximum limit of \$500 for partial drain repairs and the ineligibility of internal work and snakings.

The Committee also had before it a report (June 27, 2001) from the Commissioner of Works and Emergency Services providing additional requested information concerning the extent of private drain repairs at 92 Gillard Avenue following the deferral of a Drain Grant Appeal by the Works Committee at its meeting of June 6, 2001; advising that as the exterior drain work carried out at 92 Gillard Avenue was confirmed to be only a partial repair, the \$500 grant already provided is appropriate; and again recommending that this appeal be denied due to the maximum limit of \$500 for partial drain repairs and the ineligibility of internal work and snakings.

The Committee recommended to Council the adoption of the aforementioned report dated May 31, 2001.

(Clause No. 3, Report No. 12)

**9.10 Designation of Pollution Prevention Plan
and Pollution Prevention Plan Summary
Forms for the Dental Sector.**

The Works Committee had before it a report (June 19, 2001) from the Commissioner of Works and Emergency Services advising that dedicated pollution prevention plan and plan summary forms for the offices of dentists have been developed to assist dentists in complying with the requirements of the pollution prevention planning provisions of the City of Toronto Municipal Code Chapter 681; and recommending that the attached pollution prevention plan and pollution prevention plan summary forms be designated for use by the offices of dentists.

The following persons appeared before the Committee in connection with the foregoing matter:

- Dr. Eric Luks, President, Royal College of Dental Surgeons of Ontario; and submitted material with respect thereto; and
- Ms. Shelley Petrie, Toronto Environmental Alliance.

On motion by Councillor Layton, the Committee recommended to Council the adoption of the aforementioned report.

(Clause No. 2, Report No. 12)

9.11 Chemicals in Drinking Water.

The Works Committee had before it a communication (May 23, 2001) from the Secretary, Board of Health, advising that the Board of Health, at its meeting on May 22, 2001:

- (1) recommended that the report (March 28, 2001) from the Medical Officer of Health respecting the potential health impacts of chemicals found in Toronto's drinking water, be forwarded to Council in accordance with Recommendation No. (1) of the report; and

- (2) reported having:
 - (i) approved the aforementioned report from the Medical Officer of Health; and
 - (ii) adopted a Resolution by Mr. Brian Hyndman, wherein it is resolved that the Board of Health monitor any move towards privatization of Toronto's water supply and, in the event that a concrete proposal for privatization is brought forward, the Medical Officer of Health be requested to submit a report to the Board of Health with respect to the potential health impacts of such privatization.

The Committee approved the recommendation of the Board of Health, and in so doing, forwarded the aforementioned report from the Medical Officer of Health to Council in accordance with Recommendation No. (1).

(Clause No. 5, Report No. 12)

9.12 Proposed Contingency Plan for the Prevention and Control of the West Nile Virus.

The Works Committee had before it a communication (June 19, 2001) from the Secretary, Board of Health, advising that the Board of Health, at its meeting on June 18, 2001, recommended to the Works Committee and Council the adoption of the following Recommendations Nos. (1); (2); and (5) contained in the report (June 5, 2001) from the Medical Officer of Health, that:

- “(1) City Council endorse the Proposed Contingency Plan for the Prevention and Control of the West Nile Virus (WNV Contingency Plan);
- (2) City Council reiterate its request to the Province of Ontario to provide 100 percent funding for comprehensive measures to prevent and control the spread of WNV, recognizing the inter-municipal and international aspects of WNV disease transmission, and the need for provincial coordination and support of WNV prevention and control activities;” and
- “(5) the appropriate City officials report back jointly through the 2002 budget process on recommended service levels and costs for WNV prevention and control.”

The Committee recommended to Council the adoption of the recommendations of the Board of Health contained in the aforementioned communication.

(Clause No. 4, Report No. 12)

**9.13 Action By Canadians Program:
The ABC's of Climate Change.**

The Works Committee had before it a report (June 14, 2001) from the Commissioner of Works and Emergency Services recommending that:

- (1) the Commissioner of Works and Emergency Services be authorized to incorporate the Action By Canadians (ABC) program among the existing and planned initiatives of the Energy Efficiency Office from 2001 to 2004, for implementation within the corporation as well as Agencies, Boards and Commissions of the City;
- (2) the Commissioner of Works and Emergency Services be authorized to gradually phase in the implementation of the Action By Canadians (ABC) program to the community at large based on funding provided to the City by the ABC program and its sponsors;
- (3) any funding provided by government and/or private sector partners of this program be used in support of the delivery of the ABC program; and
- (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Committee recommended to Council the adoption of the aforementioned report.

(Clause No. 8, Report No. 12)

**9.14 Engagement of Contracted Engineering Services
for the Rehabilitation of Digestion Tanks 1 to 6 at
Humber Treatment Plant - RFP No. 9117-01-7459.**

The Works Committee had before it a joint report (June 18, 2001) from the Commissioner of Works and Emergency Services and the Interim Chief Financial Officer and Treasurer recommending that:

- (1) the firm of MacViro Consultants Inc. be engaged to provide engineering services for the rehabilitation of Digestion Tanks 1 to 6 at the Humber Treatment Plant for an estimated cost not to exceed \$3,315,451.92 including Goods and Services Tax (GST) and including contingencies as follows:
 - (a) for pre-design and detailed design services, an amount not to exceed \$1,140,952.10 including disbursements and GST plus a contingency allowance of \$115,000.00 to cover additional work, if necessary and authorized by the Commissioner of Works and Emergency Services;
 - (b) for general administration and site services during construction, an amount not to exceed \$1,791,858.22 including disbursements and GST for a construction period of up to 40 months plus a contingency allowance of \$180,000.00 including GST to cover extended services during construction of the rehabilitation beyond a period of 40 months at a rate not to exceed \$6,875.00 per week including disbursements and GST, if necessary and authorized by the Commissioner of Works and Emergency Services; and
 - (c) for post-construction services, an amount not to exceed \$79,641.60 including disbursements and GST to cover consulting engineering services during the two-year warranty period of the construction contract plus a contingency allowance of \$8,000.00 including GST for additional services if necessary and authorized by the Commissioner of Works and Emergency Services; and
- (2) the appropriate City officials be directed to take the necessary action to give effect thereto.

The Committee recommended to Council the adoption of the aforementioned joint report.

(Clause No. 9, Report No. 12)

**9.15 Additional Expenditures - F.G. Gardiner Expressway
Dismantling Project, from Don Roadway to Leslie Street -
Contract No. 00D1-01RD.**

The Works Committee had before it a report (June 18, 2001) from the Commissioner of Works and Emergency Services recommending that:

- (1) approval be given for the expenditure of additional costs in the amount of \$2,340,400, for Contract No. 00D1-01RD, F.G. Gardiner Dismantling Project, from the Don Roadway to Leslie Street; and
- (2) additional design and construction supervision fees in the amount of \$700,000 be authorized for Cole, Sherman & Associates Ltd. to complete the Gardiner Expressway East Dismantling Project.

The Committee:

- (1) recommended to Council the adoption of the aforementioned report;
and
- (2) requested the Commissioner of Works and Emergency Services to:
 - (i) report back to the Committee on ways and means of recovering costs from utility companies particularly when they have not been able to identify utility locations where requested by the City to do so; and

(Motions (1) and (2)(i) by Councillor Li Preti)

- (ii) meet with the utility companies prior to the issuance of contracts in order to facilitate work and reduce costs.

(Motion by Councillor Layton)

(Commissioner of Works and Emergency Services; c: Executive Director,
Technical Services - July 4, 2001)

(Clause No. 10, Report No. 12)

**9.16 Extension of Contract No. 01D2-01D for
Major Road Resurfacing - Highway 27; Dixon Road;
and Ramps at Highway 27 and Dixon Road.
(Ward 2 - Etobicoke-North)**

The Works Committee had before it a report (June 8, 2001) from the Commissioner of Works and Emergency Services recommending that Contract No. 01D2-01RD, for major road resurfacing for Highway 27 from Highway 401 to Highway 409, Dixon Road from Highway 27 to Carlingview Drive, and ramps at Highway 27 and Dixon Road, be extended by \$210,000 for additional boulevard improvements in the form of tree planting, sidewalk widening, and patterned concrete as well as construction of a treed centre median just east of Carlingview Drive.

The Committee recommended to Council the adoption of the aforementioned report.

(Clause No. 11, Report No. 12)

**9.17 Extension of Contract No. 00D2-23RD -
Improvements at Browns Line and
Lake Shore Boulevard West Gateway.
(Ward 6 - Etobicoke-Lakeshore)**

The Works Committee had before it a report (June 8, 2001) from the Commissioner of Works and Emergency Services recommending that Contract No. 00D2-23, for improvements at Browns Line and Lake Shore Boulevard West Gateway, be extended by \$150,000 for additional plantings, a sitting area at the north edge of the plaza, and sidewalk and boulevard enhancements for the Browns Line and Lake Shore Boulevard West Gateway improvements.

The Committee recommended to Council the adoption of the aforementioned report.

(Clause No. 12, Report No. 12)

9.18 Agreement Respecting Joint Ownership of Composite Utility Maps in the Former City of Toronto.

The Works Committee had before it a report (June 18, 2001) from the Commissioner of Works and Emergency Services recommending that:

- (1) Council authorize the entering into of a joint ownership agreement between the City and the current and future members of the Toronto Public Utilities Coordinating Committee identified in this report as the "Digital Map Owners Group" who have purchased an undivided interest in the composite utility maps for the geographic area of the former City of Toronto, on such terms and conditions as may be satisfactory to the Commissioner of Works and Emergency Services and in such form as approved by the City Solicitor;
- (2) Council authorize the City Solicitor, in consultation with the Commissioner of Works and Emergency Services, to prepare the agreement referred to in Recommendation No. (1); and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Committee recommended to Council the adoption of the aforementioned report.

(Clause No. 13, Report No. 12)

9.19 Licensing of Aerial Photographs Known as Toronto Mono Viewer.

The Works Committee had before it a report (June 13, 2001) from the Commissioner of Works and Emergency Services respecting the licensing and distribution of digital aerial photographs owned by the City packaged in a computer application known as the Toronto Mono Viewer; and recommending that:

- (1) the City enter into the software licensing agreement, set out in Attachment "A", with DVP Geomatic Systems Inc.;
- (2) the City Solicitor be authorized to prepare the necessary "shrink wrap" and other licensing agreements for the purpose of Recommendation No. (1); and

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto including the introduction of any by-laws that may be required.

The Committee recommended to Council the adoption of the aforementioned report.

(Clause No. 14, Report No. 12)

**9.20 Industrial Waste Management System (IWMS) -
RFP No. 3412-98-00946.**

The Works Committee had before it a report (June 14, 2001) from the Commissioner of Works and Emergency Services respecting the Industrial Waste Management System Project; and recommending that:

- (1) the City be authorized to enter into a source code confidentiality agreement with the firm of enfoTech & Consulting Inc. for the release directly to the City of a copy of the source code for its software application, known as POTW Administration and Compliance System (PACS), for this project;
- (2) such agreement be in a form acceptable to the City Solicitor; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Committee recommended to Council the adoption of the aforementioned report.

(Clause No. 15, Report No. 12)

**9.21 Harmonization of PCB Transfers, Decontamination
and Waste Storage Procedures.**

The Works Committee had before it a communication (June 19, 2001) from the Secretary, Board of Health, advising that the Board of Health, on June 18, 2001, recommended to the Works Committee and Council adoption of the report (June 5, 2001) from the Medical Officer of Health, which recommended that:

- (1) the Board of Health request that City Council endorse in principle a PCB management plan that results in the phase out of PCBs in the City of Toronto and that does not result in a transfer of PCBs or PCB by-products into the surrounding environment;
- (2) City Council request that the Ontario Minister of the Environment inform the City of Toronto regarding applications for PCB transfers, decontamination and storage within the City of Toronto as follows:
 - (a) send notification of applications for transfer of PCBs into the City of Toronto to the City Clerk, the Medical Officer of Health, and Toronto Fire Services;
 - (b) send copies of Director's Instructions for transfers of PCBs within, through and out of the City of Toronto to the City Clerk, the Medical Officer of Health, and Toronto Fire Services in advance of any transfers taking place; and
 - (c) continue to request proponents to send a copy of applications for decontamination of low-level PCBs to the City Clerk;
- (3) City Council request the Ministry of the Environment not to issue Approvals for PCB transfers into the City that result in the long-term storage of PCBs in Toronto;
- (4) the Board of Health recommend City Council adopt a destruction criterion for PCBs that reflects new international obligations and includes:
 - (a) destruction efficiency of effectively 100 percent of all PCBs;
 - (b) complete containment of all residues and wastes; and
 - (c) no uncontrolled releases to the environment;
- (5) the City Clerk forward a copy of the applications and notifications as follows:
 - (a) applications and Director's Instructions for PCB transfers to the Emergency Planning Office of Works and Emergency Services;
 - (b) notifications for decontamination of low level PCBs to Toronto Fire Services, the Emergency Planning Office and Technical Services of Works and Emergency Services; and
 - (c) copies of the applications for decontamination of low level PCBs to the Medical Officer of Health, and Toronto Fire Services, the Emergency Planning Office and Technical Services of Works and Emergency Services;

- (6) in order to improve the ability of the Toronto Fire Chief to reduce public safety risks:
 - (a) Toronto Fire Services review applications for transfers and decontamination of PCBs in order to update their database and emergency response information;
 - (b) Toronto Fire Services computer-aided dispatch system, currently under development, be approved as the corporate system to incorporate information about PCB storage sites in the City of Toronto;
 - (c) all City departments, agencies, boards and commissions provide to Toronto Fire Services their inventory of PCBs in storage, including where feasible, sites containing less than 50 litres;
 - (d) Toronto Fire Services make its information on PCB storage sites available to other City divisions at their request; and
 - (e) if in its regular surveillance activities, Toronto Fire Services identifies properties that contain unrecorded storage of PCBs or PCBs that are abandoned, Toronto Fire Services will notify the appropriate authorities including, but not limited to, the Ontario Ministry of the Environment and City Planning Division of Urban Development Services;
- (7) if there is cause for concern on receipt of applications for transfers or decontamination of PCBs, the Medical Officer of Health request the Ontario Minister of the Environment to delay approval as necessary and where warranted, and thereafter, provide comments to the Minister of the Environment and to the Board of Health on those concerns;
- (8) Solid Waste Management Services of Works and Emergency Services investigate the possibility of accepting small quantities of PCB as part of its Household Hazardous Waste program;
- (9) Facilities and Real Estate, in consultation with other relevant divisions, prepare a plan, which includes resource implications, for the destruction of the City's PCB wastes and take into consideration benefits that could be gained by co-ordinated action between all City departments, agencies, boards and commissions, as well as the feasibility of using mobile non-incineration destruction technology;

- (10) the City Solicitor, in conjunction with the City Planning Division of Urban Development Services, review the need for changes in existing by-laws to ensure the harmonisation of policy and procedures for PCB transfers, decontamination and storage within the City;
- (11) the City Clerk forwards this report to all City departments, agencies, boards and commissions for their information and action; and
- (12) the appropriate City officials be authorised and directed to take the necessary action to give effect thereto.

The Committee recommended to Council the adoption of the recommendation of the Board of Health contained in the aforementioned communication.

(Clause No. 6, Report No. 12)

**9.22 Contracted Engineering Services -
Water Pollution Control Treatment Plants.**

The Works Committee had before it a report (June 11, 2001) from the Commissioner of Works and Emergency Services providing an update on the annual expenditures pertaining to existing long-term engineering consulting services for the three major Water Pollution Control Treatment Plants, including actual annual expenditures for 1992-2000, estimated expenditures for 2001-2002, and potential future commitments under each engineering consulting services agreement; and recommending that this report be received for information purposes.

The Committee received the aforementioned report for information.

(Clause No. 18(g), Report No. 12)

**9.23 Monthly Status Report on District 1
Development Applications.**

The Works Committee had before it a report (June 18, 2001) from the Commissioner of Works and Emergency Services providing a monthly status report on the Department's progress relative to the development application backlog, and the volume of development applications received and processed in District 1, as requested by the Committee at its meeting on March 28, 2001; and recommending that this report be received for information.

The Committee received the aforementioned report for information.

(Clause No. 18(h), Report No. 12)

9.24 Contract Extension for Refuse, Bulky Items and Recyclable Collection from Multi-Residential Apartment Buildings, Multi-Residential Townhouse Locations, Municipal and Institutional and Commercial Establishments in Districts 3 and 4 (North York and Scarborough) - Contract No. 358.

The Works Committee had before it a joint report (June 21, 2001) from the Commissioner of Works and Emergency Services and the Interim Chief Financial Officer and Treasurer recommending that:

- (1) authority be granted to extend the existing contract with J & F Waste Systems Inc. for refuse, bulky items and recyclable collection from multi-residential apartment buildings, multi-residential townhouse locations, and municipal, institutional and commercial establishments in Districts 3 and 4 (North York and Scarborough) at a total estimated cost of \$1,915,548.75 including all charges and taxes, for an additional one-year period commencing February 1, 2002, and expiring on January 31, 2003; and
- (2) the appropriate officials be authorized and directed to take the necessary actions to give effect thereto.

The Committee also had before it a communication (July 4, 2001) from Mr. Brian Cochrane, President, Toronto Civic Employees' Union - CUPE Local 416, recommending that the Works Committee approve the extension of the contract with J & F Waste Systems Inc. only on condition that staff bring forward a plan to have this work performed "in house" when the contract expires.

The Committee recommended to the Policy and Finance Committee the adoption of the aforementioned joint report.

(Policy and Finance Committee; c: Commissioner of Works and Emergency Services; General Manager, Solid Waste Management Services; Mr. Brian Cochrane - July 4, 2001)

(Clause No. 18(i), Report No. 12)

**9.25 Deep Lake Water Cooling Project
Energy Transfer Agreement.**

The Works Committee had before it a report (June 22, 2001) from the Commissioner of Works and Emergency Services providing an update on the status of the Deep Lake Water Cooling project; and recommending that:

- (1) approval be granted for the expansion of the John Street Pumping Station as set out in the report, at Enwave's cost, to facilitate implementation of the Deep Lake Water Cooling project, subject to successful completion of the site plan approval process; and
- (2) the appropriate City of Toronto officials be authorized to execute an Energy Transfer Agreement with Enwave District Energy Limited on the terms and conditions set out in this report and on other terms and conditions satisfactory to the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor.

The Committee also had before it a communication (July 3, 2001) from Mr. Tony O'Donohue, President, Environmental Probe Ltd., advising that he has supported the Deep Lake Water Cooling project since it was first introduced in 1986; and that if properly implemented, it can be a very positive energy and environmental tool for Toronto.

The following persons appeared before the Committee in connection with the foregoing matter:

- Mr. Steven Zucchet, Chief Operating Officer, Enwave District Energy Limited;
- Mr. Tony O'Donohue, President, Environmental Probe Ltd.; and
- Councillor David Shiner, Ward 24 – Willowdale.

The Committee:

- (1) recommended to Council:
 - (i) the adoption of the aforementioned report; and **(Motion by Councillor Layton)**
 - (ii) that Enwave District Energy Limited be requested to report back to the Works Committee by October 2001 on the development of partners; and **(Motion by Councillor Pitfield)**

- (2) requested the Interim Chief Financial Officer, in consultation with the Chief Administrator's Office, to report directly to Council for its meeting on July 24, 2001, on any adjustments to the arrangements that might minimize the taxes payable, while ensuring the City's protection and control of its water supply. **(Motion by Councillor Layton)**

(Interim Chief Financial Officer; Chief Administrator's Office; c: Commissioner of Works and Emergency Services; General Manager, Water and Wastewater Services - July 4, 2001)

(Clause No. 1, Report No. 12)

**9.26 Progress Report for the Western Beaches Tunnel
Design-Build Contract - Contract No. 58507.
(Ward 14 - Parkdale-High Park, Ward 19 - Trinity-Spadina)**

The Works Committee had before it a report (June 28, 2001) from the Commissioner of Works and Emergency respecting the progress of the contract for the design and construction of the Western Beaches Tunnel; advising that while the contractor has indicated that the tunnel system could be ready to accept flows by July 1, 2001, the City has advised that on completion of the major outstanding contractual activities mentioned in the report and on completion of commissioning of the system, the City will assume the operation of the WBT; further advising that this date is now tentatively envisaged as mid-August 2001, with the balance of the restoration, landscaping and other work that does not prevent operation of the system to be completed possibly by the end of summer 2001; and recommending that this report be received for information purposes.

Councillor Chris Korwin-Kuczynski, Ward 14 - Parkdale-High Park, appeared before the Committee in connection with the foregoing matter.

On motion by Councillor Layton, the Committee met privately to discuss the foregoing matter, having regard that the subject matter being considered relates to the security of the property of the municipality or local board, in accordance with the Municipal Act.

On motion by Councillor Layton, the Committee received the aforementioned report for information, and expressed its thanks to staff for their efforts to move this project forward as quickly as possible.

(Commissioner of Works and Emergency Services; c: Councillor Chris Korwin-Kuczynski; General Manager, Water and Wastewater Services - July 4, 2001)

(Clause No. 18(j), Report No. 12)

9.27 510 Spadina Streetcar: Closure of Unsafe Unsignalized Opening at Baldwin Street.

The Works Committee had before it a communication (June 22, 2001) from the General Secretary, Toronto Transit Commission, advising that the Toronto Transit Commission, at its meeting on June 20, 2001, approved the following recommendations contained in the report dated June 20, 2001, entitled "510 Spadina Streetcar: Closure of the Unsafe Unsignalized Opening at Baldwin Street":

- (1) request Toronto City Council to:
 - (a) approve the immediate installation of an interim barrier at Baldwin Street, and the construction of a permanent barrier at this location, as has been done at every other unsignalised intersection on Spadina Avenue, as quickly as possible;
 - (b) direct Transportation Services staff to immediately prepare the necessary by-laws to give effect to these changes, noting that:
 - there have been 30 automobile-streetcar collisions at the unsignalised intersection of Spadina Avenue and Baldwin Street in the 22 months since all other unsignalised crossings of the streetcar right-of-way were closed, and this is, by far, the highest automobile-transit collision rate of any intersection in Toronto;
 - the Commissioner of Works and Emergency Services recommended, in his November 15, 1999 report, that a barrier be installed adjacent to the streetcar right-of-way on Spadina Avenue at Baldwin Street, to physically prevent motorists from turning across the tracks and to, thereby, eliminate the ongoing automobile-streetcar collisions which were occurring at that location;

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- the professional traffic engineering staff at Transportation Services and at the TTC have jointly concluded that there are no traffic control measures available - modified pavement markings, different signage, flashing beacons - which would be effective in eliminating this safety concern, and that the only solution to this ongoing safety problem is to physically prevent vehicles from entering onto or crossing the streetcar tracks at Baldwin Street;
 - the installation of traffic control signals at this location, originally requested by the Commission at its January 12, 2000 meeting, has been determined by Toronto Transportation Services to be not feasible; and
 - the current Toronto City Council and its committees have the authority to install barriers at the Spadina/Baldwin intersection because this Council is not bound by the procedural technicality which prevented the previous Council from addressing this matter;
- (2) approve the expenditure of up to \$50,000 in unbudgeted funds for this initiative; and
- (3) forward this report to the City of Toronto, Toronto Transportation Services, Toronto Planning and Councillor Olivia Chow;

and further advising that the Commission also approved the following:

- (i) that City Transportation staff be requested to report back to the City Works Committee after a period of six months on the traffic and business implications that have resulted from this change; and
- (ii) that the Toronto Parking Authority be requested to report back to the City Works Committee when this matter comes back in six months on what impact this change has had on their parking operation on Baldwin Street.

On motion by Councillor Layton, the Committee recommended to Council that the aforementioned communication be received.

(Clause No. 17, Report No. 12)

9.28 Transportation of Residual Solid Waste to Michigan.

The Works Committee had before it a report (June 27, 2001) from the Commissioner of Works and Emergency Services providing an update regarding the potential of engaging rail transport as an alternative to truck transport of residual solid waste to landfills in Michigan under contract to the City of Toronto; advising that in order to discuss rail-based transport of solid waste to Michigan with the City's landfill suppliers, Republic and Onyx, staff have engaged in contract discussions that include tonnages and duration in order to report on price impacts and service adjustments; noting that it is staff's intention to conduct contract discussions over the course of the summer of 2001 and report on the outcome in the fall of 2001; further advising that if the Committee elects to continue to pursue rail-based transport at that time, staff will engage in the consultation process regarding the rail haul option(s) with stakeholders previously identified by the Committee, including the South-Western Ontario Trash Coalition; and recommending that this report be received for information.

The Committee received the aforementioned report for information.

(Clause No. 18(k), Report No. 12)

9.29 Tender No. 95-2001: Collection of Curbside Waste Bulky Items, Yard Waste, Recyclables and Waste, and Waste and Recyclables from Public Receptacles in Former City of Etobicoke.

The Works Committee had before it a communication (July 4, 2001) from Mr. Brian Cochrane, President, Toronto Civic Employees' Union – CUPE Local 416, expressing concerns with respect to Tender No. 95-2001, for the collection of curbside waste, bulky items, yard waste, recyclables and waste, and waste and recyclables from public receptacles in the former City of Etobicoke, which closes on July 18, 2001; and recommending that the City not go forward with the tendering process, and instead provide direction to staff that this work be brought “in house” and that it be used as an opportunity to test the new waste diversion system.

Councillor Disero appointed Councillor Pitfield Acting Chair, and vacated the Chair.

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On motion by Councillor Disero, the Committee deferred consideration of the aforementioned communication until its meeting scheduled to be held on October 17, 2001, for deputations when the report on the award of the tender is before the Committee.

(Mr. Brian Cochrane; c: Commissioner of Works and Emergency Services;
General Manager, Solid Waste Management Services – July 4, 2001)

(Clause No. 18(l), Report No. 12)

DEFERRED

Councillor Disero resumed the Chair.

The Works Committee adjourned its meeting at 12:50 p.m.

Chair.