

THE CITY OF TORONTO

City Clerk's Division

Minutes of the Works Committee

Meeting No. 12

Wednesday, November 14, 2001

The Works Committee met on Wednesday, November 14, 2001, in Committee Room 1, 2nd Floor, City Hall, Toronto, commencing at 9:40 a.m.

Members Present:

	9:40 a.m. - <u>12:40 p.m.</u>	1:35 p.m. - <u>2:30 p.m.</u> (In Camera)	2:30 p.m. - <u>7:20 p.m.</u>
Councillor Betty Disero, Chair	x	x	x
Councillor Jane Pitfield, Vice-Chair	x	x	x
Councillor Bas Balkissoon	x	x	x
Councillor Frank Di Giorgio	x	x	x
Councillor Irene Jones	x	x	x
Councillor Jack Layton	x	x	x
Councillor Gloria Lindsay Luby	x	x	x
Councillor Peter Li Preti	x	x	x

Also Present:

Councillor Sandra Bussin
Councillor Olivia Chow
Councillor Suzan Hall
Councillor Douglas Holyday
Councillor David Miller
Councillor Sherene Shaw
Councillor Paul Sutherland

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

Confirmation of Minutes.

On motion by Councillor Jones, the Minutes of the meeting of the Works Committee held on October 17, 2001, were confirmed.

12.1 Proposed Amendment to the Highway Traffic Act.

The Works Committee again had before it a communication (October 2, 2001) from the General Secretary, Toronto Transit Commission, forwarding Toronto Transit Commission Report No. 24 dated August 29, 2001, entitled "A Proposed Amendment to the Highway Traffic Act", which was before the Commission at its meeting on August 29, 2001, together with a memorandum from the TTC General Counsel detailing the proposed wording changes to Section 166 of the Highway Traffic Act that the Commission would like implemented; and requesting that City Council approve a formal motion requesting the Ontario Minister of Transportation to amend Section 166 of the Highway Traffic Act to require motor vehicles to stop behind a streetcar where passengers are boarding or exiting.

The Committee also had before it a report (October 31, 2001) from the Commissioner of Works and Emergency Services commenting, as requested by the Committee at its meeting on October 17, 2001, on the proposal made by the Toronto Transit Commission to seek an amendment to the Highway Traffic Act which would require vehicle operators to stop at the rear of streetcars when passengers are boarding or exiting; and recommending that City Council adopt the recommendation made by the Toronto Transit Commission in their Report No. 24, dated August 29, 2001, requesting that the Ontario Minister of Transportation amend Section 166 of the Highway Traffic Act to require vehicles to stop behind a streetcar where passengers are boarding or exiting.

The Committee also had before it the following communications:

- (i) (October 17, 2001) from Ms. Rhona Swarbrick, Toronto Pedestrian Committee, regarding the proposed amendment to the Highway Traffic Act by the Toronto Transit Commission;
- (ii) (October 31, 2001) from the City Clerk advising that the Toronto Pedestrian Committee at its meeting held on October 31, 2001, recommended to the Works Committee that it:
 - (1) request that the City Solicitor report on an interpretation of paragraph 130 of Section 210 of the Municipal Act which reads as follows:

“2.10. By-laws may be passed by the Council of local municipalities:

130. For setting aside and designating in a suitable visible manner, on any highway upon which street cars or buses are operated, any part or parts as a ‘safety zone’ and for prohibiting motor or other vehicles from driving over or upon any such safety zone while any pedestrian is thereon or about to enter

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thereon”;

- (2) request that the Commissioner of Works and Emergency Services, and the General Manager of Transportation Services report on:
 - (i) the merits of removing the reference to ‘safety zones’ in terms of improving the roadway crossing environment for pedestrians boarding or exiting a streetcar; and
 - (ii) modified or new traffic management and traffic operation practices that would protect pedestrians crossing between a sidewalk and a ‘safety zone’ when using a streetcar service; and
- (3) defer any action with regard to the proposed amendment to the Highway Traffic Act, Section 166 (1) until a response from the City Solicitor, the Commissioner of Works and Emergency Services and the General Manager of Transportation Services has been brought back to a future meeting of the Works Committee; and
- (iii) (November 12, 2001) from the Rocket Riders Transit Users Group, requesting that the matter of the amendment to the Highway Traffic Act be deferred, for one month, and recommending amendments with respect to the designation of safety zones.

Ms. Rhona Swarbrick, Member, Toronto Pedestrian Committee, appeared before the Committee in connection with the foregoing matter.

On motion by Councillor Layton, the Committee:

- (1) recommended to Council the adoption of the aforementioned report; and
- (2) referred the recommendations of the Toronto Pedestrian Committee to the Commissioner of Works and Emergency Services for a report thereon to the next meeting of the Works Committee, scheduled to be held on January 15, 2002.

(Commissioner of Works and Emergency Services; c: Chief General Manager, Toronto Transit Commission; General Manager, Transportation Services; Administrator, Toronto Pedestrian Committee – November 14, 2001)

(Clause No. 4, Report No. 17)

**12.2 Pilot Program -
Publication Box Enclosures.**

The Works Committee again had before it a report (October 3, 2001) from the Commissioner of Works and Emergency Services recommending that:

- (1) the appropriate staff of Transportation Services, in consultation with the Purchasing and Materials Management Division, issue an Invitation to Provide Prototype Publication Box Enclosures to establish a pilot program for testing the concept of consolidating existing publication boxes, based on the framework set out in the text of this report;
- (2) at the conclusion of the pilot, after approximately one year, staff report back to the Works Committee summarizing the findings of the pilot and recommending future direction in this regard; and
- (3) through the course of the pilot, a number of public consultation events be arranged for the purpose of engaging in dialogue and receiving feedback from affected stakeholders (newspaper companies, newspaper box suppliers, Business Improvement Areas, the Toronto Transit Commission, City staff) and any other interested parties.

The Committee also had before it the following communications:

- (i) (October 17, 2001) from Ms. Rhona Swarbrick, Toronto Pedestrian Committee, expressing concern with respect to pedestrian mobility and pedestrian and driver safety as a result of numerous publication boxes chained to public utility and TTC stop poles;
- (ii) (October 31, 2001) from the City Clerk advising that the Toronto Pedestrian Committee at its meeting on October 31, 2001, requested that the Works Committee:
 - (1) list a member of the Toronto Pedestrian Committee to deputate at Works Committee with respect to the Pilot Program - Publication Box Enclosures; and
 - (2) consider the Toronto Pedestrian Committee as a 'preferred stakeholder' to be involved in any public consultation events being arranged for the purpose of seeking input and receiving feed back with respect to the Pilot Program - Publication Box Enclosures; and

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- (iii) (November 12, 2001) from Mr. Randal Froebelius, Vice-President, Commercial Operations, Kolter Property Company, expressing support for the pilot program for publication boxes and expressing interest in participating in the program; and suggesting the southwest corner of Yonge Street and Eglinton Avenue, and the northwest corner of Yonge Street and King Street, as additional locations to be included in the program.

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

- Ms. Rhona Swarbrick, Member, Toronto Pedestrian Committee, and submitted a communication with respect thereto;
- Mr. Lou Gallucci, Vice-President of Government Relations, OMG Media;
- Ms. Katia Pahotskaya, ALMAKS Media Inc., and submitted material with respect thereto;
- Mr. Min Woo Lee and Ms. Mira Lee, Clip Canada, and submitted material with respect thereto; and
- Mr. Ron Bohas, Assistant Director Circulation, The Toronto Sun.

The Committee:

- (1) recommended to Council the adoption of the aforementioned report, subject to the following:

- (i) the Commissioner of Works and Emergency Services be requested to develop with appropriate stakeholders, including the Toronto Pedestrian Committee, the criteria to be used for the evaluation of the pilot program, and report back thereon to the Committee prior to the commencement of the pilot program;

(Motion by Councillor Lindsay Luby)

- (ii) consideration of both fixed and modular models be included for the pilot program; and

(Motion by Councillor Balkissoon)

- (iii) third party advertising fees not be waived in the pilot program;
and

(Motion by Councillor Jones)

- (2) requested the Commissioner of Works and Emergency Services to:
 - (i) investigate the establishment of caps on the number of newspaper vending boxes, either in total in the City or at any particular intersection or for any particular publisher, and/or separation distances between locations; and
 - (ii) report to the Committee on whether it would be possible to require that the boxes be secure in their locations.

(Motion by Councillor Layton)

The following motion by Councillor Layton was **lost**:

“That the matter be referred to all publishers currently permitted on City streets, with a request that they work together to bring forward their suggestions for consideration.”

(Commissioner of Works and Emergency Services; c: General Manager, Transportation Services – November 14, 2001)

(Clause No. 1, Report No. 17)

**12.3 Designation of Pollution Prevention Plan and
Pollution Prevention Plan Summary Forms for
Printing Sector.**

The Works Committee had before it a report (October 2, 2001) from the Commissioner of Works and Emergency Services respecting the designation of the format for the pollution prevention plan and plan summary forms for the printing sector in accordance with the provisions of the Municipal Code Chapter 681; and recommending that the pollution prevention plan and pollution prevention plan summary forms attached thereto be designated for use by the printing industry.

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

(Clause No. 8, Report No. 17)

**12.4 Designation of Pollution Prevention Plan
Form for the Autobody Repair Sector.**

The Works Committee had before it a report (October 29, 2001) from the Commissioner of Works and Emergency Services respecting the designation of the format for the pollution prevention plan form for the autobody repair sector in accordance with the provisions of the Municipal Code Chapter 681; and recommending that the pollution prevention plan form attached thereto be designated for use by the autobody repair industry.

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

(Clause No. 9, Report No. 17)

12.5 Drain Grant Policy and Appeals Process.

The Works Committee had before it a report (November 5, 2001) from the Commissioner of Works and Emergency Services respecting the implications of revising the Drain Grant Policy to provide a grant to cover the cost of a drain repair done inside the building as a result of a blockage caused by roots from a City-owned tree, as requested by the Committee at its meeting on June 6, 2001; advising that if such work were included in the program, it would result in an additional expenditure of approximately \$25,000 per year if a maximum grant amount of \$500 (i.e., partial repair) were to be applied, and that difficulties would arise in attempting to confirm that work was completed as reported; and recommending that the existing Drain Grant Program not be changed to provide a grant for drain repairs done internally as a result of a blockage due to roots from a City-owned tree.

The Committee also had before it a report (November 13, 2001) from the City Solicitor responding to questions raised by the Works Committee at its meeting on June 6, 2001, with respect to drain grant appeals and the drain grant appeals process; advising that the drain grants and appeals policy sets out the requirements for eligibility for grants and the maximum amounts that may be paid, and the actions that the Works Committee can take on appeals by persons denied grants; and recommending that this report be received for information.

Councillor Sandra Bussin, Ward 32 – Beaches-East York, appeared before the Committee in connection with the foregoing matter.

Councillor Di Giorgio, on behalf of Councillor Bussin, moved that the Committee recommend to the Policy and Finance Committee, with respect to the aforementioned reports, that the Drain Grant Policy and appeals process be amended to provide for an additional grant of \$500 for work required on the interior portion of the system due to a City-owned tree, over and above the maximum allowed limits of the current policy. **(Carried, as amended)**

Councillor Balkissoon moved that the foregoing motion by Councillor Di Giorgio be amended by adding thereto the words “where the City was included in the inspection before the work was done”. **(Carried)**

(Policy and Finance Committee; c: Commissioner of Works and Emergency Services; General Manager, Water and Wastewater Services – November 14, 2001)

(Clause No. 20(a), Report No. 17)

**12.6 Drain Grant Appeal for
250 Glebeholme Boulevard.
(Ward 32 – Beaches-East York)**

The Works Committee again had before it a report (May 28, 2001) from the Commissioner of Works and Emergency Services advising that an appeal to a denied drain grant claim has been made by the property owner of 250 Glebeholme Boulevard, and that the applicant is requesting to be reimbursed \$149.80 for snaking his private drain due to roots from the City tree; and recommending that this appeal be denied as applying to ineligible expenses under the policy.

The Committee also again had before it a communication (June 6, 2001) from Councillor Sandra Bussin, Ward 32 - Beaches-East York, in support of awarding a full grant in the amount of \$1,500.00 to the owner of the property at 250 Glebeholme Boulevard based on the extenuating circumstances surrounding this matter.

The Committee also again had before it a submission from Mr. Roland Jen, owner of 250 Glebeholme Boulevard, respecting the drain grant appeal for 250 Glebeholme Boulevard.

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Councillor Sandra Bussin, Ward 32 – Beaches-East York, appeared before the Committee in connection with the foregoing matter.

Councillor Jones moved that consideration of the aforementioned report be deferred. **(Lost)**

Councillor Lindsay Luby moved the adoption of the aforementioned report. **(Carried)**

(Clause No. 10, Report No. 17)

**12.7 Drain Grant Appeal for
761 Millwood Avenue.
(Ward 26 – Don Valley West)**

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 denied drain grant application has been made by the property owner of 761 Millwood Avenue, and that the applicant is asking for a rebate to cover her costs to repair drains in the interior of her house; and recommending that this appeal be denied as it is ineligible since it relates to interior work and camera investigations.

Ms. Janis DeGernier, 761 Millwood Avenue, Toronto, appeared before the Committee in connection with the foregoing matter.

Councillor Lindsay Luby moved the adoption of the aforementioned report. **(Carried)**

Councillor Pitfield moved that the owner of 761 Millwood Avenue be reimbursed in the amount of \$500. **(Lost)**

(Clause No. 11, Report No. 17)

**12.8 Drain Grant Appeal for
204 Swanwick Avenue.
(Ward 32 - Beaches-East York)**

The Works Committee had before it a communication (August 1, 2001) from the Acting City Clerk advising that City Council at its meeting held on July 24, 25 and 26, 2001, had before it Clause No. 4 contained in Report No. 11 of The Works Committee, headed "Drain Grant Appeal for 204 Swanwick Avenue (Ward 32 – Beaches-East York)", wherein the Committee recommended the adoption of the report (May 28, 2001) from the Commissioner of Works and Emergency Services which recommended that the drain grant appeal for 204 Swanwick Avenue be denied since no roots from a City tree were involved; and further advising that City Council directed that the aforementioned Clause be struck out and referred back to the Works Committee for further consideration.

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

- Ms. Margaret Harper, 204 Swanwick Avenue, Toronto; and
- Councillor Sandra Bussin, Ward 32 – Beaches-East York.

On motion by Councillor Jones, the Committee recommended to Council that the owner of 204 Swanwick Avenue be reimbursed in the amount of \$750, based on the particular circumstances of her drain grant appeals.

(Clause No. 12, Report No. 17)

**12.9 Drain Grant Appeal for
12 Monteith Street.
(Ward 27 – Toronto Centre-Rosedale)**

The Works Committee had before it a communication (June 6, 2001) from Councillor Kyle Rae, Ward 27 – Toronto Centre-Rosedale, forwarding correspondence with respect to a claim for compensation under the City's drain grant program by Mr. Bruce Conlin and Mr. Greg O'Grady, with respect to a drain blockage at 12 Monteith Street, Toronto.

The Committee also had before it a report (November 5, 2001) from the Commissioner of Works and Emergency Services respecting a drain grant application made by the property owner, Mr. Bruce Conlin, of 12 Monteith Street with respect to a rebate to cover the costs to repair drains in the interior of his house; and recommending that this appeal be denied, as it is ineligible since it relates to interior work and a City tree did not cause the blockage.

Mr. Bruce Conlin, Toronto, appeared before the Committee in connection with the foregoing matter.

On motion by Councillor Layton, the Committee referred the aforementioned report and communication back to the Commissioner of Works and Emergency Services for further consideration in consultation with the Ward Councillor, and report back to the Committee at the next meeting at which drain grant appeals are considered.

(Commissioner of Works and Emergency Services; c: Councillor Kyle Rae; General Manager, Water and Wastewater Services; Mr. Bruce Conlin/ Mr. Greg O'Grady – November 14, 2001)

(Clause No. 20(b), Report No. 17)

**12.10 Drain Grant Appeal for
1804 Dufferin Street.
(Ward 17 – Davenport)**

The Works Committee had before it a communication (September 26, 2001) from Councillor Betty Disero, Ward 17 – Davenport, respecting the costs incurred by Mrs. E. Mele as a result of a drain blockage on her property at 1804 Dufferin Street, Toronto, caused by the roots of a City-owned tree.

The Committee also had before it a report (November 6, 2001) from the Commissioner of Works and Emergency Services respecting a request by Mrs. E. Mele, property owner of 1804 Dufferin Street, for a grant in the amount of \$961 in addition to a claim of \$1,500 already approved for external drain grant replacement; and recommending that this appeal be denied as it is ineligible since it exceeds the maximum \$1,500 grant and relates to interior work.

Mr. John Mele, Toronto, appeared before the Committee in connection with the foregoing matter.

Councillor Di Giorgio declared his interest in the foregoing matter, having regard that Mr. John Mele is employed in this office.

Councillor Li Preti moved that the owner of 1804 Dufferin Street be reimbursed in the amount of \$500. **(Lost)**

Councillor Lindsay Jones moved the adoption of the aforementioned report.
(Carried)

(Clause No. 13, Report No. 17)

**12.11 Drain Grant Appeal for
66 Dewhurst Boulevard.
(Ward 29 – Toronto-Danforth)**

The Works Committee had before it a communication (October 1, 2001) from Mr. Fred Gandolfi, 66 Dewhurst Boulevard, respecting reimbursement for expenses incurred in the repair of property damage done to his property by a City-owned tree.

The Committee also had before it a report (November 6, 2001) from the Commissioner of Works and Emergency Services respecting a claim by Mr. F. Gandolfi, 66 Dewhurst Boulevard, for a grant in the amount of \$891, in addition to a claim of \$500 already approved for the cost of repairs to his exterior private drain; and recommending that this appeal be denied as it is ineligible, since it exceeds the maximum \$500 grant for partial repairs to an exterior and relates to interior work.

Mr. Fred Gandolfi, 66 Dewhurst Boulevard, appeared before the Committee in connection with the foregoing matter.

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

(Clause No. 14, Report No. 17)

12.12 Basement Flooding at 1024 O'Connor Drive.

The Works Committee had before it a communication (August 16, 2001) from former Councillor Michael Prue, Ward 31 – Beaches-East York, forwarding a communication from Mr. Mike Klisouras, owner of 1024 O'Connor Drive, respecting compensation for basement flooding at these premises; and appealing the decision to deny compensation to Mr. Klisouras under both the Downspout Disconnection and Basement Flooding Protection Subsidy Programs.

The Committee also had before it a report (November 6, 2001) from the Commissioner of Works and Emergency Services respecting an appeal for compensation made by the owner of 1024 O'Connor Drive, Mr. Mike Klisouras, with respect to reimbursement for the costs

for private drain work and downspout disconnection at his 12-unit apartment building; and recommending that the request for compensation be denied on the basis that the work conducted by the property owner is not covered by policies set out under the Basement Flooding Protection Subsidy Program, Downspout Disconnection Programs and the Drain Grant Policy.

Mr. Mike Klisouras, Toronto, appeared before the Committee in connection with the foregoing matter.

The Committee referred the aforementioned report back to the Commissioner of Works and Emergency Services for further consideration.

(Commissioner of Works and Emergency Services; c: General Manager, Water and Wastewater Services; Mr. Mike Klisouras – November 14, 2001)

(Clause No. 20(c), Report No. 17)

12.13 Waste Diversion Proposals.

The Works Committee had before it a communication (October 24, 2001) from Mr. Wayne Roberts, Project Co-ordinator, Toronto Food Policy Council, requesting the opportunity for the following presentations to be made to the Committee with respect to waste diversion proposals to increase the amount and value of composting going on in the City: (1) by Mr. Alasdair Love in support of his proposal to ban the landfilling of corrugated wax cardboard, and to initiate a pilot project testing the viability of using it as a carbon stock in mid-scale composting projects; and (2) by Mr. Kevin Lee and Ms. Christine Saraceno, General Manager and Urban Agriculture Director respectively of Scadding Court Community Centre, presenting a proposal outlining the advantages of working closely with community-based agencies to promote composting and supporting a pilot project involving Scadding Court.

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

- Mr. Alasdair Love, Green Workplace Program; and
- Mr. Kevin Lee, General Manager, and Ms. Christine Saraceno, Urban Agriculture Director, Scadding Court Community Centre, and submitted material with respect thereto.

The Committee:

- (1) requested the General Manager, Solid Waste Management Services, to meet with Mr. Alasdair Love, Green Workplace Program, and report back to the Committee on the feasibility of his proposal with respect to corrugated wax cardboard;
- (2) requested the Commissioner of Works and Emergency Services to report back to the Committee on the costs involved with respect to the Scadding Court Community Centre composting pilot project, and the possibility of including the pilot project as a funded item in the 2002 operating budget, with a request that staff also investigate other gardens; and

(Motions (1) and (2) by Councillor Pitfield)

- (3) requested the Chief Administrative Officer and Acting Chief Financial Officer to submit a report to the Committee on the establishment of an environmental grants fund that would be administered by the Works Committee, and the level of funding that would be realistic.

(Motion by Councillor Jones)

(Commissioner of Works and Emergency Services; Chief Administrative Officer and Acting Chief Financial Officer; c: General Manager, Solid Waste Management Services; Mr. Wayne Roberts; Mr. Alasdair Love; Mr. Kevin Lee – November 14, 2001)

(Clause No. 20(d), Report No. 17)

12.14 Disposal of Residual Solid Waste.

The Works Committee had before it a confidential report (November 9, 2001) from the Commissioner of Works and Emergency Services respecting the disposal of the City's residual solid waste, which recommended, in part, that:

- (1) in accordance with the City of Toronto's current waste disposal contract with Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC, doing business as Carleton Farms, and Wilson Logistics Inc. (collectively, the "Republic Contractors), the City include within the contract ("the

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Republic Contract”) the City’s residual municipal solid waste for the period commencing January 1, 2003, and ending December 31, 2005, which inclusion will have the effect of redirecting at an alternate price the 450,000 tonnes per year of residual solid waste, currently received and disposed of at the Arbor Hills Landfill after expiry of that disposal contract’s current term on December 31, 2002;

- (2) Recommendation No. (1) be subject to the City of Toronto entering into an amending agreement with the Republic Contractors based on the optional amending provisions proposed by the Republic Contractors and the provisions cited in the body of this report, including the finalization of trailer residual value amounts to the satisfaction of the Commissioner of Works and Emergency Services, and on terms and conditions satisfactory to the Commissioner and in a form satisfactory to the City Solicitor;
- (3) subject to the adoption of Recommendations Nos. (1) and (2), that:
 - (a) the City of Toronto retain the legal firm of Torys, to a maximum of \$30,000.00, after municipal GST rebate, to assist in the preparation of an amending agreement to the Republic Contract (funds are available in the approved 2001 Capital Budget under Program C-SW168).
 - (b) the City of Toronto provide notice to the Republic Contractors under the notice provisions of the Republic Contract, to provide for the receipt and disposal at the Carleton Farms Landfill of the additional residual municipal solid waste following the closure of the Keele Valley Landfill Site based on tonnage estimates provided by the Commissioner of Works and Emergency Services and in a form satisfactory to the City Solicitor; and
 - (c) the Commissioner of Works and Emergency Services be authorized to:
 - (i) enter into the amending agreement with the Republic Contractors as set out in Recommendation No. (2);
 - (ii) enter into an agreement with Canadian Waste Services Inc. and any other relevant contractual parties under the City’s contract for the transportation and disposal of the City’s waste at the Arbor Hills Landfill (the “Arbor Hills Contract”), for the transfer of ownership to the City of Toronto of the transport trailers currently owned by Canadian Waste Services Inc. and used in transport of residual solid waste under that contract on terms and conditions satisfactory to the Commissioner of Works and Emergency Services and consistent with the provisions of this report, including the amount to be paid for transfer, and in a form satisfactory to the City Solicitor; and

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- (iii) failing agreement as set out in Recommendation No. 3(c)(ii), provide notice of early contract termination to all parties under the Arbor Hills Contract, prior to the expiry of the term on December 31, 2002, so as to ensure to the extent possible the transfer of trailers under the contract to the City of Toronto on January 1, 2003, upon payment of the required trailer residual value amounts.

The Committee also had before it a report (November 9, 2001) from the Commissioner of Works and Emergency Services providing information regarding the City of Toronto's requirement, despite the introduction of new diversion programs as recommended by the City's Waste Diversion Task Force 2010, to secure additional disposal capacity to address the closure of the City of Toronto's remaining landfill, the Keele Valley Landfill Site, located in the City of Vaughan, which is scheduled to take place in December 2002; and recommending that this report be received for information.

The Committee also had before it a report (November 1, 2001) from the Commissioner of Works and Emergency Services providing information regarding the potential of engaging rail haul as an alternative to the current truck haul of residual solid waste to landfills in the State of Michigan under contract to the City of Toronto; advising that Onyx North America Corp. are not supplying a rail haul option to their Arbor Hills Landfill, and that both of the integrated rail haul options developed by Republic Services Inc. would require long-term put-or-pay contracts and increased costs; further advising that staff are therefore not recommending that the City engage in rail haul to Michigan landfills, and maintain truck haul as the preferred method of transportation in order to maintain greater flexibility and not hinder the City's ability to reach its diversion targets; also advising in response to a motion tabled by Councillor Frank Di Giorgio regarding the export of residual solid waste to Michigan that the engagement of outside legal review is not recommended at this time, and submitting related reports including an opinion from the legal firm of Torys; noting that staff concur with Councillor Di Giorgio that the current situation does pose risks to the City, and that the most productive means to address the risks is an increased capability on the part of the City to divert waste from disposal by achieving the diversion program set by the Waste Diversion Task Force 2010; and recommending that this report be received for information.

The Committee also had before it a report (November 14, 2001) from the City Solicitor providing additional comments to the Committee on the motion by Councillor Di Giorgio as set out in the report dated November 1, 2001, from the Commissioner of Works and Emergency Services; advising that, if requested, a legal opinion could be obtained updating and commenting on the status of current legislation, but that insofar as the motion refers to an outside legal opinion determining the contractual risks and cost implications of shipping waste to Michigan, the risks have already been the subject of prior reports, and further, that a legal opinion would not address all the matters addressed in the motion, in particular the

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cost implications of the shipment of waste; and recommending that this report be received for information.

The Committee also had before it the following communications:

- (i) (September 11, 2001) from Governor John Engler, State of Michigan, expressing concern with respect to any increase in Toronto's waste exports to the Republic Carleton Farms landfill site in Michigan; and requesting the opportunity to appear before the Committee with respect to the City of Toronto's options for the disposal of municipal solid waste;
- (ii) (November 9, 2001) from Mr. Elmer Parraghi, Supervisor, Sumpter Township, Michigan, in support of the Carleton Farms Landfill continuing to receive solid waste from Toronto; and advising that the community host agreement that is in place between Sumpter Township and the Carleton Farms Landfill guarantees that the facility will be operated within full compliance of all applicable laws and regulations;
- (iii) (November 13, 2001) from Lieutenant Governor Dick Posthumus, State of Michigan, expressing concerns about an increase in the export of the City's solid waste to Michigan; and outlining options for the City to dispose of its waste; and
- (iv) communications from the following in opposition to any reconsideration of the Adams Mine site:
 - (November 13, 2001) from Ms. Kathie Robinson, Kirkland Lake;
 - (November 13, 2001) from Emery McEwen, Kirkland Lake;
 - (November 13, 2001) from Mrs. Joyce McEwen, Kirkland Lake; and
 - (November 13, 2001) from Ms. Barbara Bukowski, Kirkland Lake.

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

- Mr. William A. Wichers, Honigman Miller Schwartz and Cohn, Detroit, Michigan, and Mr. Bruce Davis, Executive Vice President, Urban Intelligence Inc., and submitted a communication with respect to municipal solid waste exportation/importation;
- Mayor Bill Enouy, Town of Kirkland Lake, and submitted a communication forwarding a legal opinion with respect to the use of the Adams Mine site;
- Mr. Gordon E. McGuinty, President, Notre Development Corporation, and submitted material with respect thereto;

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- Mr. Don Ashley, representing Mr. Glenn King, Chairperson, Ontario Legislative Board, United Transportation Union, and submitted material with respect thereto;
- Mr. Dave Rettell, General Manager, Onyx Arbor Hills Landfill, and Mr. Angelo Caramagno, Area Manager; and
- Mr. Robert Webb, Vice-President, Republic Services of Canada Inc.; Mr. Jim Wilson, Wilson Logistics; and Mr. Matt Neely, Carleton Farms Landfill.

The Committee:

Councillor Di Giorgio moved that:

- (1) the City not proceed with an appended agreement with the Republic Contractors at this time, and furthermore, that the City of Toronto secure for the next Works Committee meeting an updated outside legal opinion on the risks of continuing to ship garbage to Michigan; and **(Lost)**
- (2) the City of Toronto explore negotiating the following amendments to the waste disposal contract with the Republic Contractors that will apply to any increased tonnage shipped to Michigan:
 - (i) that new and emerging technologies include thermal processing of waste;
 - (ii) that an unforeseen cost increase not be deemed to be an unavoidable circumstance; and
 - (iii) that foreseeable or predictable law changes in Michigan not be deemed to be an unavoidable circumstance.

(Referred)

Councillor Pitfield moved that the Committee recommend to the Policy and Finance Committee the adoption of the aforementioned confidential report from the Commissioner of Works and Emergency Services, subject to:

- (1) amending Recommendation No. (2) by adding after the words “including the finalization of trailer residual value amounts to the satisfaction of the Commissioner of Works and Emergency Services” the words “and terms clearly limiting the City’s guarantee for delivery

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of all its waste under the agreement to 100,000 tonnes annually subject only to the payment of appropriate residual trailer and truck amounts” so that such Recommendation reads as follows:

“(2) Recommendation No. (1) be subject to the City of Toronto entering into an amending agreement with the Republic Contractors based on the optional amending provisions proposed by the Republic Contractors and the provisions cited in the body of this report, including the finalization of trailer residual value amounts to the satisfaction of the Commissioner of Works and Emergency Services and terms clearly limiting the City’s guarantee for delivery of all its waste under the agreement to 100,000 tonnes annually subject only to the payment of appropriate residual trailer and truck amounts, and on terms and conditions satisfactory to the Commissioner and in a form satisfactory to the City Solicitor”;

and

(2) amending Recommendation No. (3)(c)(iii) by adding after the words “failing agreement” the words “by December 31, 2001”, so that such Recommendation reads as follows:

“(iii) failing agreement by December 31, 2001, as set out in Recommendation No. 3(c)(ii), provide notice of early contract termination to all parties under the Arbor Hills Contract, prior to the expiry of the term on December 31, 2002, so as to ensure to the extent possible the transfer of trailers under the contract to the City of Toronto on January 1, 2003, upon payment of the required trailer residual value amounts.”

(Carried)

Councillor Layton moved that:

(1) part (2) of the foregoing motion by Councillor Di Giorgio be referred to the Commissioner of Works and Emergency Services for a report thereon directly to Council for its meeting on December 4, 2001;
(Carried)

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- (2) the Commissioner of Works and Emergency Services be requested to report directly to Council on further discussions that would be encouraged by the Committee to take place with rail companies, in particular CP Rail, to see if a match could be created between the minimum tonnage contemplated in the contract and the minimum tonnage that would be required for rail transport; and **(Lost)**
- (3) the City Solicitor and the Commissioner of Works and Emergency Services be requested to report directly to Council on what would be required to ensure that the risk provisions in the contract with the Republic Contractors are similar to the risk provisions that Council adopted for the Rail Cycle North proposal. **(Carried)**

The Committee also noted that those Recommendations contained in the aforementioned confidential report and listed herein were made public on the advice of Legal Services, such report to remain confidential having regard that the subject matter relates to the security of the property of the municipality.

(Policy and Finance Committee; c: Commissioner of Works and Emergency Services; City Solicitor; General Manager, Solid Waste Management Services – November 14, 2001)

(Clause No. 20(e), Report No. 17)

12.15 Results of Litter Audit and Formation of Clean Streets Working Group.

The Works Committee had before it a report (November 1, 2001) from the Commissioner of Works and Emergency Services recommending that:

- (1) a Clean Streets Working Group be created that will include City and private sector representation and whose mandate will be to identify solutions to address litter in the City of Toronto;
- (2) a member of the Works Committee be appointed to chair this Working Group under the umbrella of Waste Diversion Task Force 2010;

- (3) the Chair of the Working Group in consultation with staff prepare a list of potential private sector representatives to be appointed to the Working Group; the Co-Chairs of Task Force 2010 write to the identified companies and/or Trade Associations inviting their participation;
- (4) the activities of T.O. Toss be incorporated into the mandate of the Clean Streets Working Group;
- (5) the Working Group develop a protocol for measuring litter and conduct audits to identify the baseline quantity and composition of litter in the City; and
- (6) using baseline data, the Working Group develop principles of the roles and responsibilities of the City, the private sector and citizens with regards to the prevention and management of litter and public space waste and recycling receptacles.

The Committee recommended to Council:

- (1) the adoption of the aforementioned report;
- (2) that Councillors Li Preti and Pitfield be appointed as Co-Chairs of the Working Group, with all members of the Works Committee to be advised when the Working Group meetings take place; and

(Motions by (1) and (2) by Councillor Disero)

- (3) that City Council communicate with the Minister of the Environment with a request to amend Bill 90, Ontario's Waste Diversion Act, to include brand owner responsibility for municipal litter abatement by providing full funding for municipal litter abatement programs or by implementing deposit return programs; and forward a copy of that letter to the Chairman of the Ontario Standing Committee on General Government, and to all Ontario municipalities urging that they consider supporting this request of the Provincial Government.

(Motion by Councillor Layton)

(Clause No. 6, Report No. 17)

**12.16 Commercial Eligibility Harmonization and
Proposed Commercial Collection
Service Fees for Municipal Collection.**

The Works Committee had before it a report (November 2, 2001) from the Commissioner of Works and Emergency Services recommending that, effective 12 months after Council approval of a revised system for municipal collection of recyclables, organics and residual waste from commercial locations:

- (1) commercial locations must separate organics, recyclables and residual waste into separate streams to be eligible for municipal collection;
- (2) municipal collection services to all eligible commercial locations include once per week recycling, organics and residual waste collection;
- (3) municipal collection services to all eligible commercial locations located in the area(s) defined in Appendix "G" also include twice per week recycling, organics and residual waste collection, with extra Saturday and/or Sunday organics collection being provided where an efficient collection route can be established and owners agree to a charge for the enhanced service;
- (4) commercial locations be eligible for municipal collection services only if:
 - not designated industrial;
 - either in buildings with a ground floor area not exceeding 500 square metres and with fewer than four above ground floors; or
 - located in mixed residential/commercial buildings or in plazas and malls where the residential area of the plaza or mall is at least one-third of the total area, and with fewer than four above ground floors;
- (5) depending on the form of collection containers authorized by the City, the requirements for receiving municipal collection from commercial locations include:
 - purchase of authorized bags for recyclables, organics, and residual waste or tags for bundled corrugated cardboard or residual waste;
 - payment to the City of an annual fee per cart for cart collection based on frequency of service; and
 - payment to the City of an annual fee for bulk lift collection plus direct disposal costs;

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- (6) a fee schedule be established and approved annually by Council for:
- authorized bags and tags;
 - cart collection; and
 - bulk lift collection;
- with the schedule of fees for the first year being as set out in Appendix “F”;
- (7) commercial locations currently receiving municipal collection that do not meet the new eligibility criteria, including those under “grandparenting” provisions with former municipalities be removed from municipal collection services;
- (8) owners of buildings with a commercial/residential mix will be provided with 104 free City authorized residual waste bags per residential unit per year and will be directed to provide them free to their tenants;
- (9) municipal collection from eligible locations shall not occur and by-law enforcement officers shall be notified where:
- the account is in arrears;
 - City authorized bags or bundles containing recyclables, organics or residual waste placed at the curb weigh in excess of 20 kilograms;
 - unauthorized bags are placed at the curb; and
 - unauthorized containers are utilized;
- and further recommending that:
- (10) the current 2001 service fee for municipal collection services that expires December 31, 2001, be extended until the proposed user fees recommended in this report are implemented;
- (11) owners of commercial locations wishing municipal collection services be required to apply in writing to the City and provide documentation of their ability to meet the City’s eligibility criteria before receiving services;
- (12) the City discontinue collection to all industrial establishments and to industrial malls containing at least 75 percent industrial establishments, including those under “grandparenting” provisions of the former municipalities effective 7 months following Council approval;

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- (13) the Commissioner of Works and Emergency Services consult with the City Solicitor on options for commercial locations that opt for private collection services where sufficient space may not exist on private property for collection by private contractors and report back to Council on the feasibility of assigning restrictive times to commercial establishments whereby bagged or bundled materials may be placed at the curb for private collection;
- (14) the Commissioner of Works and Emergency Services and the City Solicitor bring forward a harmonized commercial collection by-law for Council approval six months after Council has approved a revised system for the municipal collection of recyclables, organics and residual waste from commercial locations; and
- (15) the 2002 operating budget for Solid Waste Management Services be increased by \$660,000 for the costs associated with program start-up with these costs being drawn from the Solid Waste Management Services reserve fund in 2002 and repaid in 2003 with expected saving derived from the implementation of the commercial harmonization program outlined in the report.

(NOTE: The foregoing report supercedes the report dated May 23, 2001, from the Commissioner of Works and Emergency Services headed "Garbage Services Fee Harmonization and Enhanced Diversion Initiatives for Commercial Sector", which was deferred by the Committee at its meeting on June 21, 2001, pending results of the consultation process.)

The Committee also had before it a report (October 25, 2001) from the Commissioner of Works and Emergency Services providing an update on work that has been conducted to date with respect to "waste audits" of restaurants and greengrocers in downtown Toronto; advising that "waste audits" jointly conducted in 2000 by Public Health and Solid Waste Management Services have helped to educate downtown business owners about by-law requirements for storage and setout of garbage and recyclable materials; and recommending that this report be received for information.

The Committee also had before it a communication (April 17, 2001) from the City Clerk advising that the Audit Committee, on April 11, 2001, had before it a report (March 29, 2001) from the City Auditor respecting the Commercial Garbage Collection Review, which recommended that:

- (1) the Commissioner of Works and Emergency Services, in harmonizing commercial garbage collection service across the City, consider:
 - (a) limiting commercial garbage collection service to a standard twice-weekly collection for all eligible businesses, and that businesses requiring more

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frequent garbage collection service beyond the standard service provided by the City, augment that service by contracting with a private garbage collection service; and

- (b) the revenue and cost implications associated with limiting commercial garbage collection to a twice-weekly service for all eligible businesses across the City, and report to the Works Committee, accordingly;
- (2) the Solid Waste Management Division re-evaluate the current rate structure for commercial garbage collection as a result of the number of businesses that have had their collection service reduced to twice per week and assess the impact on the recovery of costs (including related administrative costs);
 - (3) to streamline administrative procedures and to facilitate the billings and collection process:
 - (a) the Solid Waste Management Division, in consultation with Revenue Services Division of the Finance Department, investigate the feasibility of billing for commercial garbage collection services, in advance, on an annual or semi-annual basis; and
 - (b) City Legal Services, in consultation with Solid Waste Management Division, develop the necessary by-laws or determine the required changes to existing by-laws to enable the City to charge property owners for commercial garbage collection service;
 - (4) the Solid Waste Management Division, in consultation with City Legal Services, incorporate into the harmonized commercial garbage collection by-law, the right for the City to charge back to the property owner's tax bill, costs relating to the inspection, clean-up and court costs associated with any garbage related infraction; and
 - (5) the By-law Enforcement Unit of Solid Waste Management Division implement a plan to re-deploy by-law enforcement officers to the night shift, to perform targeted inspections of businesses who have had their commercial garbage collection service reduced to twice weekly, but continue to put out garbage;

and further advising that the Audit Committee:

- (1) referred the aforementioned report to the Works Committee with the request that it report back to the Audit Committee for its meeting to be held in June 2001; and

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- (2) recommended to the Works Committee the adoption of the following motion from Councillor Balkissoon:

“That the Chief Financial Officer and Treasurer engage a collection agency to recover outstanding garbage collection fees.”

The Committee also had before it the following communication:

- (i) (May 7, 2001) from Councillor Pam McConnell, Ward 28 – Toronto Centre-Rosedale, expressing deep concern about the Audit Committee’s proposals for reductions in garbage pick-up in the downtown core;
- (ii) (May 8, 2001) from Ms. Colette French and Ms. Helene St. Jacques, Directors, Queen East Business Association Inc., in opposition to any reduction in garbage and recycling services, and urging the Committee to deliver a world class waste diversion program;
- (iii) (June 21, 2001) from Mr. Brian Cochrane, President, Toronto Civic Employees’ Union, CUPE - Local 416, expressing concerns with regard to the staff report regarding garbage services fee harmonization and enhanced diversion initiatives for the commercial sector, including lack of consultation on the impact of the initiatives on the workforce, the availability of City services to businesses and the increased cost of collection services by the private sector;
- (iv) (November 13, 2001) from Mr. James L. Robinson, Executive Director, Downtown Yonge Street Business Improvement Area, requesting that a provision be adopted that would require the Works Department to consult with Business Improvement Areas in developing appropriate waste set-out times and collection times;
- (v) (November 13, 2001) from Mr. Paul Dineen, Chair, Old Cabbagetown Business Improvement Area, regarding the proposed changes to the solid waste collection policy;
- (vi) (November 14, 2001) from Mr. Brian Cochrane, President, Toronto Civic Employees’ Union, CUPE Local 416, recommending that the Works and Emergency Services Department set up a collection system that removes barriers to participation and allows businesses themselves to decide whether to use the City’s service;
- (vii) (November 13, 2001) from Councillor Jack Layton, Ward 30 - Toronto-Danforth, regarding the proposed small commercial waste collection fees increase;

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- (viii) (November 14, 2001) from Councillor Jack Layton, Ward 30 - Toronto-Danforth, recommending that:
- (1) the eligibility criteria in Recommendations Nos. (4), (7) and (12) should be deleted and replaced with a requirement restricting collection to only the appropriate waste types;
 - (2) staff report to the next Works Committee meeting on alternative fee structure scenarios that provide incentives to recycle and source separate organics by increasing the cost for collection of residuals and decreasing the cost for collection of recycling and organics. The report should also include the potential impacts of various scenarios on potential illegal dumping activities and businesses choosing the private sector collection; and
 - (3) Recommendation No. (6) be amended to provide full cost recovery for residual waste, but that the collection of organics and recyclables be provided for free;
- (ix) (November 14, 2001) from Councillor Pam McConnell, Ward 28 - Toronto Centre-Rosedale, expressing continued concern regarding the proposed changes to commercial garbage pickup;
- (x) (undated) from Mr. Henry Wu, Toronto Chinatown Community Development Association, in opposition to the proposed commercial waste collection policy; and
- (xi) (October 24, 2001) from Mr. Alex Ling, President, Toronto Association of Business Improvement Areas, requesting that the proposed commercial waste collection policy be referred to the Commissioner of Economic Development, Culture and Tourism, to comment on the economic impact of this initiative.

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

- Ms. Debra DeMonte, Toronto Region of Ontario Restaurant, Hotel and Motel Association;
- Mr. Rob Cook, Executive Director, Ontario Waste Management Association;
- Mr. Carl Lorusso, Vice-President, Wasteco;
- Mr. John Kiru, Executive Director, Toronto Association of Business Improvement Areas (TABIA).
- Mr. Stephen Chan, Bright Pearl Seafood Restaurant, Spadina Avenue;

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- Ms. Sue Zindros, Chair, Greektown on the Danforth Business Improvement Area;
- Mr. Walker Kwok, Co-Chair, Toronto Fairtex Chinatown Committee;
- Mr. Henry Wu, Director, Toronto Chinatown Community Development Association, and submitted a communication with respect thereto;
- Mr. Chris Trahiotis, owner, Ouzeri Restaurant, Danforth Avenue;
- Mr. Gary Tanguay, Hemingway's Restaurant;
- Mr. Dietmar Lein, President, Long Branch Business Improvement Area;
- Mr. Brian Cochrane, President, Toronto Civic Employees' Union - CUPE Local 416;
- Mr. Scott Wolfe, General Manager, Miller Waste Systems;
- Councillor Olivia Chow, Ward 20 - Trinity-Spadina; and
- Councillor Suzan Hall, Ward 1 – Etobicoke North.

The Committee:

- (1) advised the Commissioner of Works and Emergency Services of its support, in principle, for the charge for commercial garbage collection, but not for the collection of recycling or organics;
- (2) deferred consideration of the aforementioned report and communications until its next meeting, scheduled to be held on January 15, 2002, without delaying the implementation date; and

(Motions (1) and (2) by Councillor Layton)

- (3) requested that the Commissioner of Works and Emergency Services submit a report to the Committee at that time on the recommendations set out in the aforementioned communication dated November 14, 2001, from Councillor Layton and other issues raised at the meeting.

(Motion by Councillor Pitfield)

(Commissioner of Works and Emergency Services; Interested Parties;
c: Councillor Olivia Chow; Councillor Suzan Hall; Councillor Jack Layton;
Councillor Pam McConnell; General Manager, Solid Waste Management
Services; Administrator, Audit Committee – November 14, 2001)

(Clause No. 20(f), Report No. 17)

DEFERRED

12.17 Mandatory Recycling in Food Courts.

The Works Committee had before it a report (November 1, 2001) from the Commissioner of Works and Emergency Services providing information regarding amending the licensing requirements for food establishments in food court situations that would require them to provide recycling services to their customers, as requested by the Committee at its meeting on May 9, 2001; advising that it is unlikely that the City could rely on its licensing powers to make recycling mandatory in food courts and other public spaces since such a condition does not have health and safety, consumer protection or nuisance implications; further advising that the Province of Ontario, through Ontario Regulation 103/94, does have the authority to enforce compliance with regards to recycling containers at privately owned complexes containing food courts and public spaces; and recommending that:

- (1) public inquiries and comments regarding a lack of recycling facilities in specific food courts be directed to the Ministry of the Environment; and
- (2) the City formally request the Province of Ontario to enforce Ontario Regulation 103/94.

On motion by Councillor Layton, the Committee recommended to Council:

- (1) the adoption of the aforementioned report; and
- (2) that the Commissioner of Works and Emergency Services be requested to submit a progress report to the Committee for its meeting scheduled to be held on June 25, 2002.

(Clause No. 7, Report No. 17)

**12.18 Implementation Schedule for
Three-Stream Program.**

The Works Committee had before it a report (October 26, 2001) from the Commissioner of Works and Emergency Services respecting the implications of changing the proposed implementation schedule for the three-stream program, as requested by the Committee at its meeting of September 10, 2001; advising that while it is technically possible to implement the three-stream program throughout the entire City by the fall of 2003, pre-budget approval of approximately \$90 million in capital funds would be required, and the risk of service interruption to residents increases if the program is implemented too quickly; noting that maintaining the three-year phase-in period but changing the order that the communities come on stream so that the program starts sooner in Toronto, East York and York, and later in North York, can be done at no additional cost; and recommending that this report be received for information.

The Committee also had before it a communication (November 8, 2001) from Councillor Jack Layton, Ward 30 - Toronto-Danforth, recommending that staff report on an implementation schedule for the three-stream program that would see full implementation by early 2004 and does not involve any pre-budget approvals; and that this report be presented through the normal budget process, and include any expected savings, in comparison to the current implementation process, resulting from a faster implementation process.

Mr. Gord Perks, Toronto Environmental Alliance, appeared before the Committee in connection with the foregoing matter.

On motion by Councillor Layton, the Committee:

- (1) requested that the Commissioner of Works and Emergency Services submit a report to the next meeting of the Committee scheduled to be held on January 15, 2002, on an implementation schedule for the three-stream program that would see full implementation by early 2004 and does not involve any pre-budget approvals; and that this report be presented through the normal budget process, and include any expected savings, in comparison to the current implementation process, resulting from a faster implementation process; and
- (2) received the aforementioned report.

(Commissioner of Works and Emergency Services; c: Councillor Jack Layton; General Manager, Solid Waste Management Services; Mr. Gord Perks -November 14, 2001)

(Clause No. 20(g), Report No. 17)

12.19 Waste Diversion Task Force 2010 Initiatives

The Works Committee had before it a report (October 25, 2001) from the Commissioner of Works and Emergency Services respecting a number of initiatives contained in the Waste Diversion Task Force 2010 Report, including City-wide garage sales and “Amnesty Days”, scrap metal and polystyrene recycling, wood waste and recycling depots, and source separated organics collection from apartments; advising that the implementation of a pilot program to accept wood waste at certain transfer stations will enable staff to determine the feasibility of establishing permanent wood waste recycling depots; further advising that implementation of organics pilot projects in apartments will assist staff in mapping out an implementation plan for the recovery of organics from the apartment sector; and recommending that this report be received for information.

The Committee also had before it a communication (November 8, 2001) from Councillor Jack Layton, Ward 30 - Toronto-Danforth, recommending that in order to complement the source separated organics (SSO) pilots and maximize gathering the information necessary to determine the best strategy for collecting organics from multi-residential buildings, staff develop a draft implementation strategy for City-wide SSO collection from multi-residential buildings, and that this strategy be ready for summer 2002.

Ms. Katrina Miller, Toronto Environmental Alliance, appeared before the Committee in connection with the foregoing matter:

The Committee:

- (1) requested the Commissioner of Works and Emergency Services to report back to the Works Committee on:
 - (i) using community volunteers for Amnesty Days;
 - (ii) incorporating Amnesty Days into the existing Environment Days; and
 - (iii) incorporating Garage Sales into the existing Environment Days;

(Motion by Councillor Pitfield)

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- (2) requested that, in order to complement the source separated organics (SSO) pilots and maximize gathering the information necessary to determine the best strategy for collecting organics from multi-residential buildings, the Commissioner of Works and Emergency Services develop a draft implementation strategy for City-wide SSO collection from multi-residential buildings, and that this strategy be ready by fall 2002;

(Motion by Councillor Layton)

- (3) referred the suggestion by the Toronto Environmental Alliance with respect to staff outreach to multi-residential buildings with respect to new SSO initiatives to the Commissioner of Works and Emergency Services for consideration; and

(Motion by Councillor Layton)

- (4) received the aforementioned report.

(Motion by Councillor Pitfield)

(Commissioner of Works and Emergency Services; c: Councillor Jack Layton; General Manager, Solid Waste Management Services; Ms. Katrina Miller – November 14, 2001)

(Clause No. 20(h), Report No. 17)

12.20 “Take it Back” Program.

The Works Committee had before it a report (November 1, 2001) from the Commissioner of Works and Emergency Services providing a response to the Committee, at the request of the Works Committee’s Take It Back Sub-Committee, regarding the proposed “Take It Back Toronto” work program and project budget submitted by the Toronto Environmental Alliance and Earth Day Canada; advising that due to a 2001 revenue shortfall, the Division does not have surplus funds available to provide funding to TEA-EDC from its 2001 budget, and suggesting that the entire TEA-EDC funding request be included in the 2002 budget submission; further advising that staff are supportive of a Take It Back program and are exploring additional funding revenues available to the City, for a report on project management options to be submitted during the budget review process; and recommending that this report be received for information.

Councillor Denzil Minnan-Wong, Ward 34 – Don Valley East, appeared before the Committee in connection with the foregoing matter.

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

On motion by Councillor Disero, the Committee:

- (1) referred the aforementioned report back to the Commissioner of Works and Emergency Services to look for outside funding; and
- (2) requested that all Members of the Works Committee be provided with the research work that was undertaken by the Toronto Environmental Alliance for the Take It Back Sub-Committee.

(Commissioner of Works and Emergency Services; c: Councillor Denzil Minnan-Wong; General Manager, Solid Waste Management Services – November 14, 2001)

(Clause No. 20(i), Report No. 17)

Councillor Disero resumed the Chair.

12.21 Inclusion of Option for Containers with Wheels in Request for Proposals for Source Separated Organics Collection Containers.

The Works Committee had before it a report (October 24, 2001) from the Commissioner of Works and Emergency Services advising, in response to the request from the Policy and Finance Committee and City Council, that staff have adjusted the Request for Proposals for source separated organics collection containers to provide for Respondents to submit proposals that have containers with wheels; further advising that such proposals will be evaluated on technical and financial merits; and recommending that this report be received for information.

The Committee received the aforementioned report for information.

(Clause No. 20(j), Report No. 17)

12.22 OMG Recycling Containers.

The Works Committee had before it a report (October 24, 2001) from the Commissioner of Works and Emergency Services responding to various concerns and questions about the OMG recycling containers as raised by the Works Committee and the Toronto Cycling Committee with respect to the locking mechanism on the bins, the criteria for bin installation, the maintenance and cleaning of the bins, and the installation of bins on traffic islands; and recommending that this report be received for information.

The Committee also had before it a report (October 29, 2001) from the City Solicitor providing information regarding the potential liability to the City in the event injury occurs as a result of OMG recycling containers; advising that in such event, the City is protected by a comprehensive indemnity in its agreements with OMG for the provision of such containers; and recommending that this report be received for information.

The Committee received the aforementioned report for information.

(Clause No. 20(k), Report No. 17)

12.23 Kraft Paper Leaf and Yard Waste Bag Distribution.

The Works Committee had before it a report (October 23, 2001) from the Commissioner of Works and Emergency Services responding to a request from Council at its meeting on May 30, 31 and June 1, 2001, for a report on the feasibility of selling kraft paper leaf and yard waste bags at Toronto civic centres, community centres, libraries etc.; noting that the kraft leaf and yard waste bags are widely available at various retail locations throughout Toronto, and that if the City chose to sell kraft bags at its facilities, it is unlikely that the price would be lower than the current price offered by retailers; and recommending that this report be received for information.

The Committee received the aforementioned report for information.

(Clause No. 20(l), Report No. 17)

**12.24 Potential Lease of Lands for
Energy Facility in the Port Lands.**

The Works Committee had before it a report (October 30, 2001) from the Commissioner of Works and Emergency Services providing an update regarding the potential siting of an energy facility in the Port Lands, with specific reference to the feasibility study being undertaken with funding from the Federation of Canadian Municipalities Green Enabling Fund, as requested by City Council at its meeting on June 26, 27 and 28, 2001; advising that consideration of a land lease in the Port Lands is subsequent to confirmation of the technical and economic feasibility of the anaerobic digestion scheme, and that the location of the proposed digestion facility will also be influenced by the outcome of the Toronto Hydro-Boralex co-generation project which is still in development; and recommending that this report be received for information.

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

On motion by Councillor Disero, the Committee:

- (1) received the aforementioned report;
- (2) requested Enwave District Energy Limited to provide a status report at the next meeting of the Committee scheduled to be held on January 15, 2002, and to make a deputation to the Committee at that time; and
- (3) requested Councillor Balkissoon, as the lead for Council with respect to exploring new and emerging technologies, to also provide a progress report to such meeting.

(Commissioner of Works and Emergency Services; President and Chief Executive Officer, Enwave District Energy Limited; Councillor Bas Balkissoon; c: General Manager, Solid Waste Management Services - November 14, 2001)

(Clause No. 20(m), Report No. 17)

Councillor Disero resumed the Chair.

12.25 City-Wide Service Levels for Leaf Collection.

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, in part:

- (1) 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”;
- (2) requested the Commissioner of Works and Emergency Services to report directly to the Community Councils on the costs to contract out mechanical leaf collection; and
- (3) 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;

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- (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 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
- (vi) (June 15, 2001) from the Acting City Clerk advising that the West Community Council at its meeting held 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.

The Committee recommended to the Budget Advisory Committee the adoption of the following Recommendation No. (3) contained in the report dated May 29, 2001, from the Commissioner of Works and Emergency Services referred to in the aforementioned communication:

“(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.”

(Budget Advisory Committee; c: Commissioner of Works and Emergency Services; General Manager, Transportation Services; Administrators, Community Councils – November 14, 2001)

(Clause No. 20(n), Report No. 17)

**12.26 Yonge Street Transitway Environmental Assessment.
(Willowdale)**

The Works Committee had before it a joint report (October 26, 2001) from the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services recommending that:

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- (1) the General Manager of Transportation Services, on behalf of the Strategic Transportation Planning Group, conduct a Municipal Class Environmental Assessment (Class EA) Study to examine improved transit services, including a transitway on Yonge Street from Finch subway station to Steeles Avenue; and
- (2) a copy of this report be forwarded to the Toronto Transit Commission, GO Transit, and the Regional Municipality of York for their information.

The Committee also had before it a communication (undated) from Councillor David Shiner, Ward 24 – Willowdale, requesting that the following recommendation be added to the joint report (October 26, 2001) from the Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services:

“The Environmental Assessment include a study on the potential impact of increased traffic on minor arterial, collector and residential roads between Yonge Street and Bayview Avenue that may be affected by the Yonge Street Transitway, and measures to mitigate this.”

The Committee recommended to Council:

- (1) the adoption of the aforementioned joint report; and
- (2) that the Environmental Assessment include a study on the potential impact of increased traffic on minor arterial, collector and residential roads between Yonge Street and Bayview Avenue that may be affected by the Yonge Street Transitway, and measures to mitigate this.

(Clause No. 5, Report No. 17)

**12.27 Additional Expenditures – Contract No. 01D1-117TU -
Permanent Repairs to Utility Road Cuts on
Various Local Streets and Collector Roads, District 1.
(Former Ward 20)**

The Works Committee had before it a report (October 22, 2001) from the Commissioner of Works and Emergency Services recommending that:

- (1) an additional expenditure in the amount of \$900,000.00 for work to be undertaken under Contract No. 01D1-117TU, for permanent repairs to utility road cuts on various City of Toronto local streets and collector roads, District 1, be authorized by the Works Committee; and

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- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Committee:

- (1) recommended to Council the adoption of the aforementioned report;
and
- (2) requested the Commissioner of Works and Emergency Services to submit a report to the Committee on:
- (i) the length of time taken for repairs by utility companies as a result of outsourcing, and the feasibility of implementing a program for placing a time limit on such repairs, after which the City would complete the work at the utility companies' cost; and

(Motions (1) and (2)(i) by Councillor Balkissoon)

- (ii) the concept of having permit numbers displayed where the work is being done.

(Motion by Councillor Layton)

(Commissioner of Works and Emergency Services; c: General Manager, Transportation Services – November 14, 2001)

(Clause No. 15, Report No. 17)

12.28 Road Salt Management Plan.

The Works Committee had before it a report (October 30, 2001) from the Commissioner of Works and Emergency Services respecting the status of the work being undertaken by Transportation Services to better manage the use of road salt, which was considered by the Committee at its meeting on May 9, 2001; outlining initiatives that Transportation Services has commenced since April 2001 that form the basis of the Salt Management Plan, and describing the format for the plan; noting that annual reports will be submitted to the Committee outlining the status of the salt management initiatives; and recommending that this report be received for information.

The Committee also had before it a communication (November 9, 2001) from the City Clerk advising that City Council at its meeting held on November 6, 7 and 8, 2001, had before it, Clause No. 1 contained in Report No. 15 of The Works Committee, headed "Classification of Road Salt", respecting recommendations by RiverSides Stewardship Alliance with respect to endorsement of Environment Canada Priority Substances List Assessment Report findings classifying road salt as an environmental toxin, which was considered by the Committee at its meeting on March 28, 2001; and that Council directed that the aforementioned Clause be struck out and referred back to the Committee for further consideration at its next meeting scheduled to be held on November 14, 2001.

On motion by Councillor Pitfield, the Committee recommended to Council that the City of Toronto Agencies, Boards and Commissions, as well as the Toronto District School Board and the Toronto District Catholic School Board, be requested to develop and implement a similar salt reduction management plan as that initiated by the City of Toronto.

(Clause No. 2, Report No. 17)

12.29 Introduction of Central Heating and Cooling Ducts into the Road Elements of the Proposed Railway Lands Development.

The Works Committee had before it a report (October 29, 2001) from the Commissioner of Works and Emergency Services responding, in consultation with Enwave District Energy Limited, to a request from the Committee to report on the issue related to the feasibility of introducing central heating and cooling ducts into the road elements of the proposed Railway Lands development, in light of the provisions of the Official Plan, and the status of other planned under-pavement services; and recommending that this report be received for information.

On motion by Councillor Layton, the Committee:

- (1) received the aforementioned report for information; and
- (2) requested that the Commissioner of Works and Emergency Services, in consultation with the Commissioner of Urban Development Services and the City Solicitor, investigate the development of provisions for Official Plan, Zoning By-law and Precinct Agreement inclusion that would require the hook-up of new developments, particularly in the central area, to the district heating and cooling systems; and that in particular, they review the new provisions in the City of North Vancouver which has adopted a similar approach.

(Commissioner of Works and Emergency Services; c: Commissioner of Urban Development Services; City Solicitor; General Manager, Transportation Services – November 14, 2001)

(Clause No. 20(o), Report No. 17)

**12.30 Spadina Avenue- Status of Cycling Improvements.
(Ward 20 – Trinity-Spadina)**

The Works Committee had before it a report (October 26, 2001) from the Commissioner of Works and Emergency Services respecting the status of modifications to Spadina Avenue to improve conditions for cyclists; advising that the edge line treatment has been installed on Spadina Avenue between Queen's Quay West and College Street and from Harbord Street to Bloor Street West; further advising that provision of bicycle lanes on Spadina Avenue is only possible through the removal of traffic lanes or reconstruction of the roadway and sidewalk, and that while existing conditions make it impractical to provide bicycle lanes, Spadina Avenue has been identified on the proposed Bikeway Network as part of the Toronto Bike Plan; noting that Transportation Services staff will continue to investigate opportunities for further cycling improvements as conditions change or opportunities arise; and recommending that this report be received for information.

The Committee received the aforementioned report for information.

(Clause No. 20(p), Report No. 17)

**12.31 Scarlett Road/CP Rail
Grade Separation Feasibility Study.
(York South-Weston, Parkdale-High Park)**

The Works Committee had before it a report (October 26, 2001) from the Commissioner of Works and Emergency Services presenting the results of a study that reviewed the feasibility of replacing the CP Rail bridge over Scarlett Road in order to improve the overall safety and operation of Scarlett Road from Dundas Street West to St. Clair Avenue West; advising that an analysis of existing conditions found that replacing the bridge is feasible and, when combined with road and intersection improvements, will improve traffic operations and safety at this location; further advising that the Class EA Study for this project has been tentatively scheduled to begin in 2003, and that while the bridge replacement is not currently scheduled to be initiated in the next five years, a number of small, localized physical and operational improvements have been identified for implementation in the short term to improve safety until the bridge is replaced; and recommending that this report be received for information.

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The Committee also had before it a communication (November 8, 2001) from Councillor Frances Nunziata, Ward 11 – York South-Weston, requesting that the report from the Commissioner of Works and Emergency Services respecting the Scarlett Road/CP Rail Grade Separation Feasibility Study, be deferred until the next meeting of the Committee to be held on January 15, 2002, and that the report be forwarded to the Scarlett Road Grade Separation Feasibility Study Working Group for review and report back to such meeting.

On motion by Councillor Lindsay Luby, the Committee:

- (1) deferred consideration of the aforementioned report until its next meeting, scheduled to be held on January 15, 2002; and
- (2) requested the Commissioner of Works and Emergency Services to review the prohibition on right turns on a red light at this particular intersection, and report back thereon to the Committee at the next meeting.

(Commissioner of Works and Emergency Services; Councillor Frances Nunziata, c: General Manager, Transportation Services – November 14, 2001)

(Clause No. 20(q), Report No. 17)

DEFERRED

12.32 Student Pick-Up/Drop-Off Areas.

The Works Committee had before it a report (October 16, 2001) from the Commissioner of Works and Emergency Services responding to requests from Humber York Community Council and City Council to modify the parking regulations in the vicinity of schools to allow parents to temporarily park in student pick-up and drop-off zones while they accompany young children into the schools; advising that such zones are generally governed by “No Parking” regulations in the municipal by-laws, and that in order to accommodate parents of young children who momentarily have to leave their vehicles to accompany the children into school, the designation of short-term parking, usually 10 or 15 minute maximum, has been used at problem locations; suggesting that due to the unique combinations of circumstances at each school, it would be advisable to continue evaluating the demands on an individual basis; and recommending that this report be received for information.

Councillor David Miller, Ward 13 – Parkdale-High Park, appeared before the Committee in connection with the foregoing matter.

The Committee deferred consideration of the aforementioned report until its next meeting, scheduled to be held on January 15, 2002.

(Commissioner of Works and Emergency Services; c: Councillor David Miller; General Manager, Transportation Services – November 14, 2001)

(Clause No. 20(r), Report No. 17)

DEFERRED

12.33 Reimbursement of Expenses.

The Works Committee had before it a communication (October 31, 2001) from the City Clerk advising that the Toronto Pedestrian Committee at its meeting held on October 31, 2001, proposed that the Works Committee recommend to the Budget Advisory Committee that volunteer members of the Toronto Pedestrian Committee, and other advisory committees of Council, be reimbursed for out-of-pocket expenses incurred in conducting committee business.

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

On motion by Councillor Disero, the Committee referred the aforementioned communication to the City Clerk for a report through the budget process on the reimbursement of out-of-pocket expenses for the Chair of the Toronto Pedestrian Committee.

(City Clerk; c: Administrator, Toronto Pedestrian Committee – November 14, 2001)

(Clause No. 20(s), Report No. 17)

Councillor Disero resumed the Chair.

12.34 Increased Security at Toronto Water Facilities and Impact on the Film Industry.

The Works Committee had before it a joint report (November 1, 2001) from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services respecting enhanced security at Water and Wastewater facilities since September 11, 2001, and the impact this has on the film industry in Toronto, as requested by Council on October 2, 3 and 4, 2001; and recommending that:

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- (1) a sub-committee of the Film Liaison Industry Committee (FLIC) meet with City staff and industry participants to discuss what accommodations can be made for future filming at Water and Wastewater facilities; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Committee recommended to the Economic Development and Parks Committee the adoption of the aforementioned joint report.

(Economic Development and Parks Committee; c: Commissioner of Economic Development, Culture and Tourism; Commissioner of Works and Emergency Services; General Manager, Water and Wastewater Services – November 14, 2001)

(Clause No. 20(t), Report No. 17)

**12.35 Extension of Contract No. EB9901WS -
Installation of Water and Sewer Services at
Various Locations in Etobicoke District.
(Wards 1, 2, 3, 4, 5 and 6)**

The Works Committee had before it a joint report (October 25, 2001) from the Commissioner of Works and Emergency Services and the Acting Chief Administrative Officer and Acting Chief Financial Officer recommending that:

- (1) Contract No. EB9901WS, Tender Call No. 149-1998, with Co-X-Co Construction Limited, for the installation of water and sewer services at various locations in the Etobicoke District be extended, at the unit rates originally tendered, for one year from January 1, 2002, to December 31, 2002, in the total estimated amount of \$1,200,000.00 including all taxes; and
- (2) the appropriate City officials be authorized to take the necessary actions to give effect thereto.

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

(Clause No. 16, Report No. 17)

**12.36 Extension of Contract No. 01D3-300WS -
Installation of Water and Sewer Services at Various
Locations (West of Bathurst Street) in District 3.
(Wards 7, 8, 9, 10, 11, 12, 15 and 16)**

The Works Committee had before it a joint report (October 25, 2001) from the Commissioner of Works and Emergency Services and the Acting Chief Administrative Officer and Acting Chief Financial Officer recommending that:

- (1) Contract No. 01D3-300WS, Tender Call No. 275-2000, with OJCR Construction Ltd., for the installation of water and sewer services at various locations (west of Bathurst Street) in District 3 be extended, at the unit rates originally tendered, for one year from January 1, 2002, to December 31, 2002, in the total estimated amount of \$1,300,000.00 including all taxes; and
- (2) the appropriate City officials be authorized to take the necessary actions to give effect thereto.

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

(Clause No. 17, Report No. 17)

**12.37 Extension of Contract No. 01D4-300WS -
Installation of Water and Sewer Services at
Various Locations in District 4.
(Wards 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44)**

The Works Committee had before it a joint report (October 25, 2001) from the Commissioner of Works and Emergency Services and the Acting Chief Administrative Officer and Acting Chief Financial Officer recommending that:

- (1) Contract No. 01D4-300WS, Tender Call No. 276-2000, with Wardet Ltd., for the installation of water and sewer services at various locations in District 4 be extended, at the unit rates originally tendered, for one year from January 1, 2002, to December 31, 2002, in the total estimated amount of \$1,500,000.00 including all taxes; and
- (2) the appropriate City officials be authorized to take the necessary actions to give effect thereto.

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

(Clause No. 18, Report No. 17)

**12.38 Extension of Contract No. 01D3-301WS -
Installation of Water and Sewer Services at Various
Locations (East of Bathurst Street) in District 3.
(Wards 10, 23, 24, 25, 26, 33 and 34)**

The Works Committee had before it a joint report (October 25, 2001) from the Commissioner of Works and Emergency Services and the Acting Chief Administrative Officer and Acting Chief Financial Officer recommending that:

- (1) Contract No. 01D3-301WS, Tender Call No. 277-2000, with OJCR Construction Ltd., for the installation of water and sewer services at various locations (west of Bathurst Street) in District 3 be extended, at the unit rates originally tendered, for one year from January 1, 2002, to December 31, 2002, in the total estimated amount of \$1,300,000.00 including all taxes; and
- (2) the appropriate City officials be authorized to take the necessary actions to give effect thereto.

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

(Clause No. 19, Report No. 17)

**12.39 Implementation of Contingency Plan for the
Prevention and Control of the West Nile Virus.**

The Works Committee had before it a joint report (October 31, 2001) from the Medical Officer of Health, the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Works and Emergency Services recommending that:

- (1) subject to the receipt of full provincial funding, City Council endorse, in principle, the implementation of the Contingency Plan for the Prevention and Control of the West Nile Virus as outlined in Option (a);

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- (2) City Council request the Premier of Ontario, the Provincial Minister of Health and Long-term Care, and the Minister of Municipal Affairs and Housing to fully fund the implementation of the Contingency Plan for the Prevention and Control of the West Nile Virus as outlined in Option (a) for a total estimated cost of \$1,634,000 in 2002;
- (3) in the event that full provincial funding is not approved, City Council endorse, in principle, Option (b);
- (4) City Council authorize the Chief Administrative Officer to approve contingency expenditures for mosquito control, on the recommendation of the Medical Officer of Health;
- (5) the Board of Health, Economic Development and Parks Committee and Works Committee refer this report for consideration in the 2002 Operating Budget process; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Committee recommended to the Board of Health the adoption of the aforementioned joint report, subject to deleting Recommendation No. (3).

(Board of Health; c: Medical Officer of Health; Commissioner of Economic Development, Culture and Tourism; Commissioner of Works and Emergency Services – November 14, 2001)

(Clause No. 20(u), Report No. 17)

12.40 Construction of Water Main on Warden Avenue from Danforth Avenue to North of St. Clair Avenue - Contract No. 01FS-37WS, Tender Call No. 232-2001. (Ward 35 – Scarborough-Southwest)

The Works Committee had before it a joint report (October 24, 2001) from the Commissioner of Works and Emergency Services and the Acting Chief Administrative Officer and Acting Chief Financial Officer recommending that Contract No. 01FS-37WS, Tender Call No. 232-2001, for the construction of a 750 mm water main on Warden Avenue from Danforth Avenue to 300 m north of St. Clair Avenue, be awarded to Clearway Construction Inc. at a total lump sum price of \$4,671,000.00, including all taxes and charges, being the lowest Tender received.

The Committee awarded the contract as recommended in the aforementioned joint report, in accordance with Chapter 195, Purchasing, of the City of Toronto Municipal Code.

(Commissioner of Works and Emergency Services; Chief Administrative Officer and Acting Chief Financial Officer; City Solicitor; c: Executive Director, Technical Services; Director, Purchasing and Materials Management – November 14, 2001)

(Clause No. 20(v), Report No. 17)

**12.41 Reconstruction of Pavements,
Sidewalks and Curbs on Davenport Road -
Contract No. 01D1-20RD, Tender Call No. 248-2001.
(Ward 17 - Davenport, Ward 21 –St. Paul's)**

The Works Committee had before it a joint report (October 17, 2001) from the Commissioner of Works and Emergency Services and the Acting Chief Administrative Officer and Acting Chief Financial Officer recommending that Contract No. 01D1-20RD, Tender Call No. 248-2001, for the reconstruction of pavements, sidewalks and curbs on Davenport Road from Lansdowne Avenue to Dufferin Street and from Salem Avenue North to Rains Avenue, be awarded to Warren Bitulithic Limited, in the amount of \$3,319,003.53, including all taxes and charges, being the lowest Tender received.

The Committee awarded the contract as recommended in the aforementioned joint report, in accordance with Chapter 195, Purchasing, of the City of Toronto Municipal Code.

(Commissioner of Works and Emergency Services; Chief Administrative Officer and Acting Chief Financial Officer; City Solicitor; c: Executive Director, Technical Services; Director, Purchasing and Materials Management – November 14, 2001)

(Clause No. 20(w), Report No. 17)

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

The Works Committee had before it a report (October 31, 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. 20(x), Report No. 17)

**12.43 Basement Flooding on Foxley Avenue.
(Ward 19 – Trinity-Spadina)**

The Works Committee had before it a report (November 7, 2001) from the Commissioner of Works and Emergency Services respecting the cause of the basement flooding incident at two properties at Foxley Avenue on October 5, 2001, as requested by the Budget Advisory Committee in considering the staff report on basement flooding investigation and assessment; advising that the flooding was the result of a maintenance hole collapse that has been repaired, and was not related to the capacity of the sewer system; and recommending that this report be received for information.

The Committee received the aforementioned report for information.

(Clause No. 20(y), Report No. 17)

**12.44 Lease Agreement with Netwell Holdings Inc. for
Installation of Fibre Optic Cables in the
City's Sewer System.**

The Works Committee had before it a confidential joint report (November 12, 2001) from the Executive Lead on Telecommunications and the Commissioner of Works and Emergency Services recommending that:

- (1) City Council approve entering into a lease agreement with Netwell Holdings Inc. and Stream Intelligent Networks Corp. (or appropriate affiliate) for the use of portions of the City's sewer pipe system approved by the Commissioner of Works and Emergency Services on the terms and conditions as set out in this report, and such

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further terms and conditions as may be required by the Commissioner of Works and Emergency Services, in such form as required by the City Solicitor, to protect the interests of the City; and

- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

On motion by Councillor Disero, the Committee:

- (A) recommended to the Policy and Finance Committee:
 - (1) the adoption of the aforementioned confidential joint report;
 - (2) that subject to the approval of the Commissioner of Works and Emergency Services, permission be given for the installation of additional cables, with a request that the Commissioner report to the Works Committee in six months' time on the criteria for such additional cables; and
 - (3) that additional maintenance compensation be provided by Stream Intelligence Networks Corp. to the City in the amount of \$1.00 per metre for each additional cable; and
- (B) noted that those Recommendations contained in the confidential joint report and listed herein were made public on the advice of Legal Services, such report to remain confidential having regard that the subject matter relates to the security of the property of the municipality.

(Policy and Finance Committee; c: Executive Lead on Telecommunications; Commissioner of Works and Emergency Services; General Manager, Water and Wastewater Services – November 14, 2001)

(Clause No. 20(z), Report No. 17)

Councillor Disero resumed the Chair.

12.45 Car Free Day 2002.

The Works Committee had before it a communication (November 13, 2001) from Councillor Olivia Chow, Co-Chair, Toronto Cycling Committee, advising that the Toronto Cycling Committee at its meeting held on November 12, 2001:

- (1) requested that the City of Toronto declare the annual Car Free Day a City sponsored event;
- (2) invited those interested Councillors to join a Car Free Day Working Group, including the Corporate Special Events Department, and interested community organizations, in the organizing effort for Car Free Day 2002; and
- (3) requested that the Commissioner of Works and Emergency Services include funds in the 2002 Operating Budget submission for organizing Car Free Day on September 22, 2002.

Councillor Olivia Chow, Co-Chair, Toronto Cycling Committee, appeared before the Committee in connection with the foregoing matter.

On motion by Councillor Pitfield, the Committee:

- (1) recommended to Council the adoption of the recommendations of the Toronto Cycling Committee contained in the aforementioned communication; and
- (2) requested the Commissioner of Works and Emergency Services to report back to the Committee on the operation of Car Free Days in the City of Rome, including how this is funded and how much of the city is closed off.

(Commissioner of Works and Emergency Services; c: Councillor Olivia Chow; Administrator, Toronto Cycling Committee; General Manager, Transportation Services – November 14, 2001)

(Clause No. 3, Report No. 17)

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The Works Committee adjourned its meeting at 7:20 p.m.

Chair.