

**THE CITY OF TORONTO**

**City Clerk's Office**

**Minutes of the Works Committee**

**Meeting 1**

**Wednesday, January 11, 2006**

**Thursday, January 12, 2006**

**Monday, January 16, 2006**

The Works Committee met on Wednesday, January 11, 2006, in Committee Room 1, commencing at 9:35 a.m., Thursday January 12, 2006, in Committee Room 2, commencing at 9:30 a.m., and Monday, January 16, 2006, in the Council Chamber, City Hall, 100 Queen Street West, Toronto commencing at 2:10 p.m.

Members Present:

	<u>January 11, 2006</u>	
	<u>9:35 a.m.-12:40 p.m.</u>	<u>2:10 p.m.-6:10 p.m.</u>
Councillor Shelley Carroll, Chair	x	x
Councillor Adam Giambrone, Vice-Chair	x	x
Councillor Gerry Altobello	x	x
Councillor Glenn De Baeremaeker	x	x
Councillor Mike Del Grande	x	x
Councillor Paula Fletcher	x	x
Councillor Cesar Palacio	x	x

Also Present:

Councillor Janet Davis  
Councillor Frank Di Giorgio  
Councillor Peter Li Preti  
Councillor Giorgio Mammoliti  
Councillor Denzil Minnan-Wong  
Councillor Frances Nunziata  
Councillor Michael Walker

Members Present:

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	<u>9:30 a.m.-12:45 p.m.</u>	<u>2:07 p.m.-6:45 p.m.</u>
Councillor Shelley Carroll, Chair	x	x
Councillor Adam Giambrone, Vice-Chair	x	x
Councillor Gerry Altobello	x	x
Councillor Glenn De Baeremaeker	x	x
Councillor Mike Del Grande	x	x
Councillor Paula Fletcher	x	x
Councillor Cesar Palacio	x	x

Also Present:

Councillor Janet Davis  
Councillor Bill Saundercook  
Councillor Denzil Minnan-Wong

Members Present:

January 16, 2006  
2:10 p.m.-5:10 p.m.

Councillor Shelley Carroll, Chair	x
Councillor Glenn De Baeremaeker	x
Councillor Mike Del Grande	x
Councillor Paula Fletcher	x
Councillor Cesar Palacio	x

Regrets:

Councillor Gerry Altobello  
Councillor Adam Giambrone

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

**Confirmation of Minutes**

On motion by Councillor Giambrone, the Minutes of the meeting of the Works Committee held on November 8 and 9, 2005, and the Minutes of the joint meeting of the Planning and Transportation Committee and the Works Committee held on November 30, 2005, were confirmed.

## 1.1 2006 Operating Budgets – Works Committee

The Works Committee considered the following:

- (i) Analyst Briefing Notes with respect to the following 2006 Operating Budgets under the purview of the Works Committee:
  - Solid Waste Management Services;
  - Transportation Services; and
  - Technical Services.
- (ii) Briefing Note (October 26, 2005) from the Acting General Manager, Solid Waste Management Services responding to the request of the Works Committee on October 11, 2005, to provide information on the feasibility of permitting Councillors to have additional free compost days for local residents.
- (iii) Communication (December 19, 2005) from the City Clerk advising that City Council on December 14 and 16, 2005, referred back to the Works Committee for further consideration, together with the following motion by Councillor Moscoe, Works Committee Report 11, Clause 7, headed “Environment Days Date Selection Discussion Results and Increasing the Number and Hours of Operation of Environment Day Events”:

“That the Clause be amended to provide that Councillors be allowed to conduct their Environment Day on a Sunday in those Wards with a sufficiently large Orthodox Jewish or Seventh Day Adventist population, at the discretion of the Councillor.”;

and further noting in the Clause that the Works Committee on November 8 and 9, 2005:

- (a) postponed the following motion by Councillor Palacio until the January 11, 2006, meeting of the Works Committee for consideration with the 2006 Operating Budget for Solid Waste Management Services:

“That:

  - (1) the number of Environment Days be increased from 44 to 88 (two per Ward) per year; or
  - (2) the hours of operation on Environment Days be extended by three hours;
  - (3) should Council decide to increase the number of environment days

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from 44 to 88 in 2006, or extend the hours of operation on Environment Days by three hours, Solid Waste Management Services be requested to secure the required funding through the 2006 Operating Budget for Environment Days.”; and

- (b) requested the Acting General Manager, Solid Waste Management Services to submit a Briefing Note for consideration with the 2006 Operating Budget providing a breakdown of the statistics related to Environment Days, i.e., the number of attendees by Ward, the number of green and blue boxes given away, and the tonnage collected.
- (iv) Briefing Note (January 9, 2006) from the General Manager, Solid Waste Management Services responding to the request of the Works Committee to provide a breakdown of the statistics related to Environment Days, including diversion, sales and attendance totals.
- (v) Communication (December 20, 2005) from the Toronto Pedestrian Committee advising that the Committee on December 15, 2005, recommended to the Works Committee that City Council commit an allocation to provide logistical support, such as barricades, signage, pylons, paid duty police, etc. for holding Pedestrian events, for seven days in Kensington Market in the summer of 2006 and to secure funding through the 2006 Operating Budget for Transportation Services.
- (vi) Communication (January 11, 2006) from Russ Armstrong, Acting President, Canadian Union of Public Employees, Local 79, providing comments with respect to the 2006 Operating Budgets for Solid Waste Management Services, Transportation Services, Technical Services and Support Services.
- (vii) Communication (January 11, 2006) from Councillor Adam Giambrone, Ward 18, Davenport, respecting 2006 Pedestrian Sundays in Kensington Market; and recommending that:
  - (1) the 2004 City’s contribution of \$22,289.00 be reduced to \$14,000.00 for the 2006 Pedestrian Sundays in Kensington Market, and that this cost be absorbed within the Transportation Services Budget; and
  - (2) the General Manager, Transportation Services be requested to establish a staff working group to continue to work with the Kensington Market Community to implement the 2006 Pedestrian Sundays in Kensington Market.

The following persons provided the Works Committee with presentations on the 2006 Operating Budgets under its purview:

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- Josie LaVita, Director, Financial Planning;
- Fareed Amin, Deputy City Manager;
- William G. Crowther, Executive Director, Technical Services;
- Gary Welsh, General Manager, Transportation Services; and
- Richard Butts, General Manager, Solid Waste Management Services.

The following persons addressed the Works Committee:

- Lily Chang, Treasurer, Canadian Union of Public Employees, Local 79, and filed a written submission;
- Michael Rosenberg respecting the Transportation Services budget (Kensington Market);
- Kelsey Carriere, Streets are for People, respecting the Transportation Services budget (Kensington Market), and filed a written submission;
- Michael Johnson and Shamez Amlani, respecting the Transportation Services budget (Kensington Market);
- Helen Riley Co-Chair, Toronto Pedestrian Committee, respecting the Transportation Services budget;
- Councillor Denzil Minnan-Wong, Ward 34, Don Valley East; and
- Councillor Janet Davis, Ward 31, Beaches-East York.

The Works Committee:

(I) Solid Waste Management Services:

- (a) recommended to the Budget Advisory Committee that City Council adopt the following Operating Budget recommendations contained in the Analyst Briefing Notes for Solid Waste Management Services:
  - (1) the Solid Waste Management Services 2006 Proposed Operating Budget of \$227.091 million gross and

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\$173.656 million net, comprised of the following services, be approved:

<u>Services:</u>	<u>Gross</u> <u>(\$000's)</u>	<u>Net</u> <u>(\$000's)</u>
Program Support	30,152.2	19,316.7
Collection	95,291.1	92,110.9
Transfer	24,480.6	12,752.8
Processing	31,149.1	9,096.4
Disposal	<u>46,018.4</u>	<u>40,378.8</u>
Total Program Budget	227,091.4	173,655.6

- (2) Solid Waste Management Services report back to the Works Committee in March 2006 with respect to emerging issues that have costs/risks associated with the potential border closing to Toronto's waste and contract renegotiations;
- (3) the funding for the two new requests for the by-law enforcement component of "Multi-Unit Residential Waste Reduction Levy" and "Mandatory Waste Diversion By-Law of Single Family Residences" be deferred for consideration with the 2007 Operating Budget process, and that the Deputy City Manager responsible for Solid Waste Management Services report back to the Works Committee by June 2006, on the co-ordination, implementation, and timing for the introduction of by-law enforcement of waste collection activities in the most effective and efficient way possible given existing available resources;
- (4) the 2006 Operating Budget for the Solid Waste Management Services by-law enforcement component, once approved, be transferred to the Municipal Licensing and Standards Division;
- (5) the \$3.166 million contribution from the 2006 Operating Budget to the Perpetual Care of Landfill Reserve Fund be deferred for consideration pending report back from:
  - the General Manager, Solid Waste Management Services, to the Budget Advisory Committee in

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February 2006 on the operational implications of not making a contribution in 2006 to the reserve fund, given the adequacy of the reserve fund; and

- the Deputy City Manager/Chief Financial Officer to the Budget Advisory Committee in February 2006 on whether any source of funding is available for a 2006 reserve fund contribution;
- (6) the General Manager, Solid Waste Management Services, report back to the Works Committee in March 2006 with the implications of how Council decisions that have been made since June 2005 may have an impact on the Program's ability to meet the 2008 to 2012 Diversion targets and time lines, as outlined in its Council-approved Business Plan (approved in June 2005), as well as the financial impacts of these decisions on the City; and
- (7) the Deputy City Manager responsible for Solid Waste Management Services and the Municipal Licensing and Standards Division report back to the Works Committee and the Planning and Transportation Committee prior to the start of the 2007 budget process with a proposal for the transfer of the total integrated by-law enforcement component from Solid Waste Management Services to the Municipal Licensing and Standards Division;

**(Motion by Councillor Carroll)**

- (b) supported in principle the following motion by Councillor De Baeremaeker and directed that it be forwarded to the Budget Advisory Committee for consideration, with a request that the General Manager, Solid Waste Management Services report to the Budget Advisory Committee on whether the motion is consistent with the report adopted by City Council on July 19, 20, 21 and 26, 2005, headed "Implementation of Multi-Unit Waste Reduction Levy":

"That the General Manager, Solid Waste Management Services be directed to ensure that the Multi-Unit Waste Reduction Levy contained in the New and Enhanced

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Category of the 2006 Solid Waste Management Services Budget be operated on a cost-recovery basis.”; and

**(Motion by Councillor Carroll)**

- (c) supported in principle the following motion by Councillor De Baeremaeker and directed that it be forwarded to the Budget Advisory Committee for consideration:

“That the Solid Waste Management Services Operating Budget be increased by adding the following New and Enhanced Services:

- (i) Enforcement of Mandatory Waste Diversion By-Law in the amount of \$359.2 thousand gross and net; and
- (ii) Waste Bag Reduction Limit from 6 to 5 Bags in the amount of \$305.8 thousand gross and net.”

**(Motion by Councillor Carroll)**

The Works Committee further:

- (a) requested the General Manager, Solid Waste Management Services to report to the Budget Advisory Committee on proposals to reduce the Solid Waste Management Services 2006 Operating Budget by a further \$5 million to meet the target;

**(Motion by Councillor Carroll)**

- (b) requested Deputy City Manager Fareed Amin to communicate to City Councillors the deadline for requests for delivery of extra loads of compost, in order to minimize costs;

**(Motion by Councillor Fletcher)**

- (c) received the communication (December 19, 2005) from the City Clerk respecting Environment Days Date Selection Discussion Results and Increasing the Number and Hours of Operation of Environment Day Events; and further requested the General Manager, Solid Waste Management Services to advise all Councillors of the policy with respect to Environment Days, including the policy of holding Environment Days on Sundays;



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**(Motion by Councillor De Baeremaeker)**

The following motion by Councillor Palacio **was withdrawn** at his request:

“That all Councillors be allowed to redirect their \$1,000.00 promotional budget and have four loads of finished compost delivered to a compost give away day, if they wish to do so.”

The following motion by Councillor Carroll **was declared redundant**:

“That the motion by Councillor Palacio be referred to the Budget Advisory Committee for consideration during the budget wrap up.

The Works Committee:

(II) Transportation Services:

(a) recommended to the Budget Advisory Committee that City Council adopt the following Operating Budget recommendation contained in the Analyst Briefing Notes for Transportation Services:

It is recommended that the Transportation Services 2006 Proposed Operating Budget of \$287.237 million gross and \$189.765 million net, comprised of the following services, be approved:

<u>Service:</u>	<u>Gross</u> <u>(\$000's)</u>	<u>Net</u> <u>(\$000's)</u>
Roadway Services	129,038.0	91,958.2
Roadside Services	57,936.8	24,220.3
Traffic Planning/Row Management	11,229.7	(5,927.3)
Traffic and Safety Services	50,015.8	45,803.2
Infrastructure Management	14,892.3	12,576.3
District Management and Overhead	1,268.1	(1,631.9)
Technical and Program Support	<u>22,766.4</u>	<u>22,766.4</u>
Total Program Budget	<u>287,237.1</u>	<u>189,765.3</u>

subject to increasing the budget by adding the following New and Enhanced Services:

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- (i) Sidewalk Repair Backlog, Scarborough District in the amount of \$200.0 thousand gross, \$200.0 thousand net; and
- (ii) Mechanical Street Sweeping – Scarborough District in the amount of \$300.0 thousand gross, \$300.0 thousand net;

**(Motion by Councillor Altobello, which was carried on the following recorded vote:**

**FOR: Councillors Altobello, De Baeremaeker, Del Grande and Palacio – 4**

**AGAINST: Councillors Carroll, Fletcher and Giambrone – 3)**

- (b) referred the following motion to the Budget Advisory Committee for consideration during the budget wrap up:

“That:

- (1) the 2004 City’s contribution of \$22,289.00 be reduced to \$14,000.00 for the 2006 Pedestrian Sundays in Kensington Market, and that this cost be absorbed within the Transportation Services Budget; and
- (2) the General Manager, Transportation Services be requested to establish a staff working group to continue to work with the Kensington Market Community to implement the 2006 Pedestrian Sundays in Kensington Market.”;

**(Motion by Councillor Giambrone)**

Councillor Del Grande noted his opposition to the motion by Councillor Giambrone.

The Works Committee further:

- (a) requested the General Manager, Transportation Services to report monthly on the Pedestrian Plan to the Pedestrian Committee; and

**(Motion by Councillor Fletcher)**

- (b) requested the General Manager, Transportation Services to provide a Briefing Note to the Members of the Works Committee and the Budget Advisory Committee on the transfer of funding in the amount of \$171.0 thousand for the pick-up of dead animals to Public Health, Animal Services, such Briefing Note to include the background on the negotiations with respect to the decision to transfer this funding.

**(Motion by Councillor Fletcher)**

The following motion by Councillor Carroll **was lost on a recorded vote**, as noted:

“That the General Manager, Transportation Services be requested to report to the Works Committee’s overflow day for consideration of the 2006 Operating Budget:

- proposed reductions to the budget that would include the \$1.8 million referred to in the Analyst’s Notes that is over the 2 percent target increase;
- the impact of the motion by Councillor Fletcher with respect to the transfer of funding to Public Health, Animal Services for the pick-up of dead animals; and
- the impact of the motion by Councillor De Baeremaeker, and on what would be the impact of harmonizing the total sidewalk maintenance budget City-wide.”

**FOR: Councillors Carroll, Fletcher and Giambrone – 3**

**AGAINST: Councillors Altobello, De Baeremaeker, Del Grande and Palacio - 4**

The following motion by Councillor De Baeremaeker **was declared redundant**:

“That if the request for the \$500,000.00 for New/Enhanced Services for sidewalk repair and street sweeping in Scarborough is not approved, the General Manager, Transportation Services be directed to ensure that all part of the City of Toronto receive a similar level of service with respect to sidewalk repair and street sweeping.”

The Works Committee:

(III) Technical Services:

(a) recommended to the Budget Advisory Committee that City Council adopt the following Operating Budget recommendations contained in the Analyst Briefing Notes for Technical Services:

(1) the Technical Services' 2006 Proposed Operating Budget of \$60.840 million gross and \$5.152 million net, comprised of the following services, be approved:

<u>Service:</u>	Gross (\$000's)	Net (\$000's)
Facilities and Structures	8,881.7	6,651.5
Survey and Mapping	18,008.7	6,887.6
Environmental Services	2,307.3	2,266.0
Development Engineering	5,451.6	3,306.6
District Engineering	18,506.8	7,835.4
Office of Emergency Management	2,286.0	1,633.2
Program Administration	587.5	587.5
Support Services	4,810.8	4,810.8
Inter-Divisional Charges		<u>(28,827.0)</u>
Total Program	<u>60,840.4</u>	<u>5,151.6</u>

(2) the New Service Request for the Delivery of Green Toronto Awards Program be approved, and that the 2006 required funding of \$0.060 million be absorbed within the Technical Services' 2006 Proposed Operating Budget; and

(3) any adjustments to Technical Services' 2006 Proposed Operating Budget made through the political review process be made in Technical Services' clients' operating budgets after Council approval of the 2006 Operating Budget;

**(Motion by Councillor Carroll)**

(b) referred the following New and Enhanced Services to the Budget Advisory Committee for consideration, with a request that the Executive Director, Technical Services report to the Budget Advisory Committee on possible offsets for these services:

- GIS Mapping for Critical Infrastructure Program (Survey and Mapping) in the amount of \$74.2 thousand gross, \$14.9 thousand net; and
- Emergency Management Software in the amount of \$50.0 thousand gross, \$30.0 thousand net; and
- CBRN Support – Clerical/Admin. Staff in the amount of \$55.3 thousand gross, \$0.0 net.

**(Motion by Councillor Carroll)**

(Budget Advisory Committee; Deputy City Manager and Chief Financial Officer; Deputy City Manager, Fareed Amin; General Manager, Solid Waste Management Services; General Manager, Transportation Services; Executive Director, Technical Services; Director, Financial Planning; All Interested Parties – January 17, 2006)

**Report 1, Clause 15(a)**

**1.2 Biodegradable Plastic Bags for Organic Material**

The Works Committee considered a communication (November 8, 2005) from the City Clerk advising that City Council on October 26, 27, 28, and 31, 2005, referred back to the Works Committee for further consideration Report 9, Clause 12(b), a report (September 29, 2005) from the Acting General Manager, Solid Waste Management Services responding to the request of the Works Committee on April 27, 2005, to report on the issue of biodegradable bags including the potential use of biodegradable plastic bags for organic material collection.

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Fletcher, the Works Committee received the communication from the City Clerk.

(General Manager, Solid Waste Management Services – January 17, 2006)

### **Report 1, Clause 15(b)**

#### **1.3 The Use of Translucent Bags for Garbage**

The Works Committee considered a report (December 15, 2005) from the Acting General Manager, Solid Waste Management Services responding to the request of the Committee to report on the use of translucent bags for Toronto's garbage.

Recommendation:

It is recommended that this report be received for information.

Rod Muir, Waste Diversion Toronto, appeared before the Works Committee.

On motion by Councillor Fletcher, the Works Committee:

- (a) referred the report back to the General Manager, Solid Waste Management Services with a request that he submit a report to the Works Committee for its meeting on May 3, 2006, providing options that could be undertaken with respect to use of the translucent garbage bags for implementation on January 1, 2007, having regard to the multi-residential unit role out plan; and
- (b) referred the following motion by Councillor De Baeremaeker to the General Manager, Solid Waste Management Services for consideration in his forthcoming report:

“That the City require the use of translucent garbage bags effective January 1, 2007.”

(General Manager, Solid Waste Management Services; Mr. Rod Muir, Waste Diversion Toronto; c. Deputy City Manager Fareed Amin – January 17, 2006)

### **Report 1, Clause 15(c)**

#### **1.4 Agreement Regarding Garbage Disposal Between the City of Toronto and the Regions of York, Durham and Peel**

The Works Committee considered a communication (December 15, 2005) from the City Clerk advising that City Council on December 5, 6 and 7, 2005, referred Motion J(3) by

Councillor Ootes, seconded by Councillor Del Grande, headed “Agreement Regarding Garbage Disposal Between the City of Toronto and the Regions of York, Durham and Peel”, to the Works Committee for consideration, and wherein it is recommended as follows:

“**WHEREAS** ‘transparency’ has supposedly been one of the hallmarks of the Mayor’s last two years in office and is a common thread in all of his statements, regardless of the issue; and

**WHEREAS** the mission statement for the Mayor’s Office is prominently displayed on the City’s public Website, and states, in part, ‘The Mayor’s Office has a duty to conduct the business of the City in ways that are transparent, honest, efficient and inclusive. It is the responsibility of the Mayor to ensure that City Council remains accountable and accessible to the public...’; and

**WHEREAS** before David Miller was elected as Mayor, as a Councillor he often spoke about the importance of transparency in government – ‘Civic participation holds political representatives accountable and makes decision-making more transparent’ (speech to the Canadian Council on Social Development, November 2001); and

**WHEREAS** Mayor Miller, as part of his commitment ‘to ensure a more open and transparent system of government’, has been a proponent for the creation of a Lobbyist Registry; and

**WHEREAS** the City of Toronto currently ships approximately 105 truckloads of garbage to Michigan each day; and

**WHEREAS** Toronto faces an imminent crisis, should Michigan decide to close its border to our garbage, and this threat grows more real with each passing week; and

**WHEREAS** in February 2005, Mayor David Miller, Deputy Mayor Sandra Bussin and Councillor Jane Pitfield reviewed a confidential report that was prepared by the consulting firm of Gartner Lee, for the City of Toronto, and the Regions of York, Durham and Peel; and

**WHEREAS** later in 2005, the Chair and the Vice-Chair of the Works Committee, Councillors Shelley Carroll and Adam Giambrone respectively, reviewed this confidential report; and

**WHEREAS** the report was submitted to the Provincial Minister of the Environment; and

**WHEREAS** the majority of the Works Committee and other Members of Council were not permitted to review this report and have been denied access to it; and

**WHEREAS** a senior City official has confirmed that the report has actually been kept confidential based on an agreement between the individuals from the City of Toronto who reviewed the report and the representatives from York, Durham and Peel, along with the Province's Environment Minister; and

**WHEREAS** this agreement was made without Council approval; and

**WHEREAS** the Chair of the Works Committee stated in an interview on September 15, 2005, that she hopes to have a 'waste summit' before month's end to discuss the Michigan situation;

**NOW THEREFORE BE IT RESOLVED THAT** the Mayor and the Chair of the Works Committee immediately disclose the Gartner Lee report to Council;

**AND BE IT FURTHER RESOLVED THAT** the Mayor of the City of Toronto and the Chair of the Works Committee explain the lack of transparency surrounding the critical issue of our garbage contingency plan, and the back-room decision by the Mayor and a few Councillors to not consult Council regarding this report;

**AND BE IT FURTHER RESOLVED THAT** the Mayor and the Chair of the Works Committee provide a report to the next meeting of City Council on the specific actions and plans that have been undertaken since the Gartner Lee report was commissioned, and since it was presented to the Minister of the Environment."

The following persons addressed the Works Committee:

- William Sheehan, and filed a written submission; and
- Rod Muir, Waste Diversion Toronto.

Councillor Altobello moved that, in accordance with the Municipal Act, the Works Committee meet privately to receive an update on the City's garbage contingency options, in that the subject matter relates to the security of property of the municipality.

The Works Committee recessed at 5:25 p.m. on Wednesday, January 11, 2006, to meet in camera.



Members Present:

Councillor Shelley Carroll, Chair  
Councillor Adam Giambrone, Vice-Chair  
Councillor Gerry Altobello  
Councillor Glenn De Baeremaeker  
Councillor Mike Del Grande  
Councillor Paula Fletcher  
Councillor Cesar Palacio

The Works Committee adjourned its private meeting at 6:10 p.m., and immediately reconvened in public session with the foregoing members in attendance.

The General Manager, Solid Waste Management Services and the Director, Policy and Planning, Solid Waste Management Services gave a confidential verbal update regarding the City's garbage contingency options, such update to remain in camera as the subject matter relates to the security of the property of the municipality.

On motion by Councillor De Baeremaeker, the Works Committee:

- (1) provided confidential direction to the General Manager, Solid Waste Management Services, such direction to remain in camera as the subject matter relates to the security of the property of the municipality; and
- (2) received the communication (December 15, 2005) from the City Clerk.

(General Manager, Solid Waste Management Services; Councillor Case Ootes, Ward 29, Toronto-Danforth; Mr. William Sheehan; Mr. Rod Muir; c. Fareed Amin, Deputy City Manager – January 17, 2006)

**Report 1, Clause 15(d)**

**1.5 Appointments to the Community Environmental Assessment Team**

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The Works Committee considered a communication (December 16, 2005) from the Community Environmental Assessment Team Nominating Panel advising that the Nominating Panel on November 21, December 15 and 16, 2005, recommended to the Works Committee and Council that:

- (1) Council appoint citizens to the Community Environmental Assessment Team as listed in the confidential communication (December 16, 2005) from the Community Environmental Assessment Team Nominating Panel, for the term of the project (approximately five years), providing the member enters into an agreement with the City covering such topics as honoraria, treatment of confidential information, conflict of interest and other City policies, in a form satisfactory to the City Solicitor and provides a biography to be available to the public;
- (2) Council appoint the members listed in the confidential communication as Chair and Vice-Chair;
- (3) the appropriate City officials be authorized and directed to do whatever is necessary to implement these recommendations; and
- (4) under the *Municipal Act* and *Municipal Freedom of Information and Protection of Privacy Act*, Works Committee and Council discuss this in camera, since the subject includes personal matters about identifiable individuals.

Councillor Fletcher moved that, in accordance with the Municipal Act, the Works Committee meet privately to consider the report "Appointments to the Community Environmental Assessment Team", in that the subject includes personal matters about identifiable individuals.

The Works Committee recessed at 5:40 p.m. on Thursday, January 12, 2006, to meet in camera.

Members Present:

Councillor Shelley Carroll, Chair  
Councillor Adam Giambrone, Vice-Chair  
Councillor Gerry Altobello  
Councillor Glenn De Baeremaeker  
Councillor Mike Del Grande  
Councillor Paula Fletcher  
Councillor Cesar Palacio

The Works Committee adjourned its private meeting at 6:40 p.m., and immediately reconvened in public session with the following members in attendance.

Members Present:

Councillor Shelley Carroll, Chair  
Councillor Adam Giambrone, Vice-Chair  
Councillor Glenn De Baeremaeker  
Councillor Paula Fletcher

On motion by Councillor Fletcher, the Works Committee:

- (a) recommended that City Council adopt the recommendations of the Community Environmental Assessment Team Nominating Panel contained in the communication (December 16, 2005) from the Nominating Panel.
- (b) requested the City Clerk to:
  - (1) provide Members of Council with a copy of the confidential applications of the selected candidates; and
  - (2) prepare and distribute, as soon as possible, a Briefing Note to the Mayor and Members of Council outlining the City Clerk's selection process for appointments to the various bodies recommended through the nominating process.

(City Clerk; c. Helen Smith, Committee Administrator, Nominating and Striking Committee – January 17, 2006)

**Report 1, Clause 2**

**1.6 The Use and Regulation Segways**

The Works Committee considered the following:

- (i) Communication (November 8, 2005) from the City Clerk advising that City Council on October 26, 27, 28, and 31, 2005, referred back to the Works Committee for further consideration Report 9, Clause 12(g), a report (September 8, 2005) from the City Solicitor responding to the request of the Works Committee on April 27, 2005, to report on the use and regulation of Segways in Ontario and other jurisdictions; concluding that:

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- (i) the Segway is encompassed within the definition of motor vehicle as found in Ontario's Highway Traffic Act and, according to the Ontario Ministry of Transportation and pursuant to the Act, may not legally operate on a highway in Ontario; and that a highway would include the sidewalk or footpath where the sidewalk or footpath falls within the road allowance; and
- (ii) the Segway would fall within the definition of "vehicle" as found in Municipal Code Chapter 608, Parks, and pursuant to this Chapter currently may be operated on parks' roadways and parking areas that are not public highways, but not in any other area of the park unless authorized by permit.

Recommendation:

It is recommended that the report be received for information.

- (ii) Communications from the following:
  - (October 6, 2005) from Councillor Bill Saundercook, Ward 13, Parkdale-High Park;
  - (October 6, 2005) from Lis Kilgour;
  - (October 6, 2005) from Gerald Nicholson;
  - (October 7, 2005) from Azia March;
  - (October 6, 2005) from Brent Erb;
  - (October 6, 2005) from Ralph Servidio;
  - (October 7, 2005) from Rob Bosomworth;
  - (October 7, 2005) from Kevin Wilson;
  - (October 7, 2005) from Carlos and Katia Garcia;
  - (October 10, 2005) from Rory Sinclair, Chair, Harbord Village Residents Association.
  - (October 11, 2005) from William E. Brown;
  - (undated) from Dylan Reid;
  - (October 11, 2005) from Angela Bertoni;
  - (October 11, 2005) from Barry Humphrey;
  - (December 24, 2005) from Claude Roy, Director, Motor Vehicle Regulation Enforcement Road Safety and Motor Vehicle Regulation Transport Canada
  - (November 7, 2005) from Cynthia Booker;
  - (November 17, 2005) from Nigel Stuckey;

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- (December 9, 2005) from Bill Brunton;
- (January 2, 2006) from Bill Brunton; and
- (January 10, 2006) from Nigel Stuckey.

The following persons addressed the Works Committee:

- Matthew J. Dailida, Director, Regulatory Affairs, Segway Inc.;
- William Brown, and filed a written submission;
- Laughlin Hughes;
- Dylan Reid, Member, Toronto Pedestrian Committee, and filed a written submission
- Lela Gary
- Dennis Findlay, President, Waterfront Action, and filed a written submission;
- Nigel Stuckey, and filed a written submission;
- Megan Stuckey;
- Pamela Stuckey;
- Barry Lipton; and
- Councillor Bill Saundercook, Ward 13, Parkdale-High Park.

A. Councillor De Baeremaeker, on behalf of Councillor Saundercook, moved that:

- (1) the City of Toronto request the Province of Ontario under Bill 169 to implement a pilot project for the operation of Segways in Toronto, and that the General Manager, Transportation Services and the City Solicitor report back to the Works Committee in six months' time on results; and
- (2) the City Solicitor report to the Works Committee on the City of London's legislation for Mobility Assisted Devices and their use on public rights-of-way.

B. Councillor Palacio moved that:

- (1) the General Manager, Transportation Services and the City Solicitor be requested to report back to the Works Committee and City Council when the Ministry of Transportation Ontario has completed its pilot project and reports publicly on resulting legislative changes; and
- (2) the communication from the City Clerk be received.

C. Councillor Fletcher moved that:

- (1) the Ministry of Transportation Ontario be requested to expedite the study of the proposed pilot project with respect to Segways;
- (2) the City of Toronto support the Segway only as a Mobility Assisted Device.
  
- (3) the Clause be referred to the Disability Issues Committee with a request that it give consideration to the use of Segways as Mobility Assisted Devices at its next regular meeting, and that the Chair of the Disability Issues Committee advise the Province of the Committee's position in this regard.

Upon the question of the adoption of motion B. by Councillor Palacio, **it was carried on the following recorded vote:**

**FOR: Councillors Altobello, Carroll, Del Grande, Fletcher, Giambrone and Palacio – 6**

**AGAINST: Councillor De Baeremaeker - 1**

Upon the question of the adoption of part (1) of motion C. by Councillor Fletcher, **it was carried unanimously on the following recorded vote:**

**FOR: Councillors Altobello, Carroll, De Baeremaeker, Del Grande, Fletcher, Giambrone and Palacio – 7**

**AGAINST: - 0**

Upon the question of the adoption of part (2) of motion C. by Councillor Fletcher, **it was carried on the following recorded vote:**

**FOR: Councillors Altobello, Carroll, Fletcher, Giambrone, and Palacio – 5**

**AGAINST: Councillors De Baeremaeker and Del Grande – 2**

Upon the question of the adoption of part (3) of motion C. by Councillor Fletcher, **it was carried unanimously on the following recorded vote:**

**FOR: Councillors Altobello, Carroll, De Baeremaeker, Del Grande, Fletcher, Giambrone and Palacio – 7**

**AGAINST: - 0**

Upon the question of the adoption of part (1) of motion A. by Councillor De Baeremaeker, on behalf of Councillor Saundercook, **it was lost.**

Upon the question of the adoption of part (2) of motion A. by Councillor De Baeremaeker, on behalf of Councillor Saundercook, **it was carried.**

The following is a summary of the action taken by the Works Committee:

“The Works Committee:

- (a) recommended to Council that:
  - (1) the City of Toronto support the Segway only as a Mobility Assisted Device;
  - (2) the Ministry of Transportation Ontario be requested to expedite the study of the proposed pilot project with respect to Segways;
  - (3) the General Manager, Transportation Services and the City Solicitor be requested to report back to the Works Committee and City Council when the Ministry of Transportation Ontario has completed its pilot project and reports publicly on resulting legislative changes; and

- (4) this Clause be referred to the Disability Issues Committee with a request that it give consideration to the use of Segways as Mobility Assisted Devices at its next regular meeting, and that the Chair of the Disability Issues Committee advise the Province of the Committee's position in this regard;
- (b) requested the City Solicitor to report to the Works Committee on the City of London's legislation for Mobility Assisted Devices and their use on public rights-of-way; and
- (c) received the communication from the City Clerk."

(General Manager, Transportation Services; City Solicitor; Councillor Bill Saundercook, Ward 13, Parkdale-High Park; All Interested Parties; c. Deputy City Manager Fareed Amin – January 17, 2006)

### **Report 1, Clause 3**

#### **1.7 Relocation of Traffic Control Signals to the Intersection of O'Connor Drive and Northline Road (Ward 31, Beaches-East York, and Ward 34, Don Valley East)**

The Works Committee considered a report (October 31, 2005) from the General Manager, Transportation Services responding to a request from Councillor Janet Davis, Ward 31, Beaches-East York, who had consulted with Councillor Denzil Minnan-Wong, Ward 34, Don Valley East, to review the crossing environment for pedestrians and traffic operations in general in the vicinity of O'Connor Drive/Wakunda Place and O'Connor Drive/Northline Road intersections; indicating that the estimated cost of installing traffic control signals at the intersection of O'Connor Drive and Northline Road is \$98,000.00, which includes the cost of removing the existing pedestrian traffic signals on O'Connor Drive, south of Wakunda Place; that the current approved signal installations exceed the 2005 budget, and, therefore, the work outlined in the report would be considered in 2006, subject to relative priority and budget availability.

#### Recommendations:

It is recommended that:

- (1) traffic control signals be installed at the intersection of O'Connor Drive and Northline Road, coincident with the removal of the existing pedestrian traffic signals on O'Connor Drive, approximately 45 metres south of Wakunda Place; and



- (2) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

The following persons addressed the Works Committee:

- Councillor Janet Davis, Ward 31, Beaches-East York; and
- Councillor Denzil Minnan-Wong, Ward 34, Don Valley East, and submitted a petition signed by approximately 66 in opposition and 2 in favour of moving the existing pedestrian traffic lights and bus stops from Wakunda Place and O'Connor Drive to Northline Road.

On motion by Councillor De Baeremaeker, the Works Committee postponed indefinitely consideration of the report (October 31, 2005) from the General Manager, Transportation Services, pending resolution of the concerns of the community and the development of alternative solutions.

(General Manager, Transportation Services; Councillor Janet Davis, Ward 31, Beaches-East York; Councillor Denzil Minnan-Wong, Ward 34, Don Valley East; c. Deputy City Manager Fareed Amin – January 17, 2006)

### **Report 1, Clause 15(g)**

#### **1.8 Standing Authority for the General Manager, Transportation Services to Dedicate Land for Public Highway, Lane or Walkway Purposes**

The Works Committee considered a report (December 6, 2005) from Deputy City Manager Fareed Amin seeking delegated authority for the General Manager, Transportation Services to approve of the dedication of City-owned lands for public highway, lane or walkway purposes under non-contentious circumstances.

#### Recommendations:

It is recommended that:

- (1) the General Manager of Transportation Services or his/her designate be authorized to approve of the dedication of the following City-owned lands for public highway, lane or walkway purposes, in the absence of explicit Council authority where:

- (a) the lands have been acquired or accepted for public highway, lane or walkway purposes pursuant to a development review, Council approval or delegated authority;
  - (b) the reserves on registered plans or lands used as reserves are no longer needed to control access to an abutting property;
  - (c) Council's intent to open a road can be implied from one or more documents;  
or
  - (d) the lands are used by the public as public highway, lane or walkway;
- (2) the appropriate City officials be authorized to take all steps necessary to implement the proposed dedication referred to in Recommendation (1), including requesting the City Solicitor to submit the relevant Bills-in-Council, and to pay any costs necessary to register the resultant by-laws in the Land Registry Office;
- (3) prior to the approval of any proposed dedication of land, the General Manager of Transportation Services inform the affected ward councillor who shall have the option of referring the proposed dedication of land to the affected community council;
- (4) Clause 7 of Report 12 of the Urban Environment and Development Committee, adopted by Council on November 25, 26 and 27, 1998, be rescinded; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Altobello, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (December 6, 2005) from Deputy City Manager Fareed Amin.

#### **Report 1, Clause 4**

### **1.9 Scarlett Road/CP Rail Bridge Class Environmental Assessment Study (York South-Weston and Parkdale-High Park)**

The Works Committee considered the following:

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- Report (December 13, 2005) from the General Manager, Transportation Services respecting the findings and recommendations of the Scarlett Road/CP Rail Bridge Class Environmental Assessment (EA) Study, and requesting authority to file the Environmental Study Report (ESR) in the public record in accordance with the requirements of the Municipal Class Environmental Assessment.

Recommendations:

It is recommended that:

- (1) the Environmental Study Report for the Scarlett Road/CP Rail Bridge Class Environmental Assessment Study, which recommends replacement of the existing bridge and widening of Scarlett Road under the structure, be adopted;
  - (2) authority be granted to the General Manager of Transportation Services to file the Environmental Study Report for the Scarlett Road/CP Rail Bridge Class Environmental Assessment with the City Clerk and to give notification of such filing in accordance with the requirements of the Municipal Class Environmental assessment process; and
  - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- Communication (undated) from Vito Cosentino, President, 1361664 Ontario Inc., requesting a response to the concerns outlined in the communication with respect to his car wash/laundromat at the north west corner of Dundas Street West and Scarlett Road.

Councillor Frances Nunziata, Ward 11, York South-Weston, addressed the Works Committee.

On motion by Councillor Altobello, on behalf of Councillor Nunziata, the Works Committee:

- (i) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (December 13, 2005) from the General Manager, Transportation Services;

- (ii) requested the General Manager, Transportation Services to consider providing an allocation of funds from the 2006 Transportation Services budget envelope for beautification work at St. Clair Avenue and Scarlett Road; and
- (iii) referred the communication from Vito Cosentino to the General Manager, Transportation Services with a request that he provide a response to Mr. Cosentino on the concerns raised in his letter.

(General Manager, Transportation Services; Mr. Vito Cosentino; Councillor Frances Nunziata, Ward 11, York South-Weston; c. Deputy City Manager Fareed Amin – January 17, 2006)

### **Report 1, Clause 5**

#### **1.10 Municipal Road Damage Deposits**

The report (December 8, 2005) from the General Manager, Transportation Services, headed “Municipal Road Damage Deposits”, was withdrawn, as public notice is required, and will be considered at the March 7, 2006, meeting of the Works Committee.

(General Manager, Transportation Services – January 17, 2006)

### **Report 1, Clause 15(h)**

#### **1.11 Parking for Motorized Scooters and Motorcycles in Off-Street Municipal Parking Facilities**

The Works Committee considered a report (December 19, 2005) from the President, Toronto Parking Authority, advising that the Board of Directors of the Toronto Parking Authority on November 29, 2005, considered the request of City Council that the Authority report to the Works Committee with respect to parking for scooters and motorcycles in off-street parking facilities under its jurisdiction, and how the Authority could designate a small area at all of its indoor and outdoor “Green P” lots where motorcycles, as defined in the Ontario Highway Traffic Act, may park for free; and that the Board, after considering the difficulties associated with the request, decided to continue the current practice of providing parking to all motorized vehicles, as defined under the Highway Traffic Act, at the same posted fee.

Recommendation:

It is recommended that Members of the Works Committee be advised that the Toronto Parking Authority will continue to provide parking for scooters and motorcycles in the off-street lots under its jurisdiction at the posted rates that are applicable to all other motorized vehicles.

On motion by Councillor Palacio, the Works Committee received the report from the President, Toronto Parking Authority.

(President, Toronto Parking Authority; c. General Manager, Transportation Services – January 17, 2006)

### **Report 1, Clause 15(i)**

#### **1.12 Cycling Trends and Policies in Canadian Cities (All Wards)**

The Works Committee considered a report (December 14, 2005) from the General Manager, Transportation Services responding to the request of the Works Committee to report on the Toronto Cycling Committee's recommendation that City Council request the Province of Ontario to become more involved in cycling issues.

#### Recommendations:

It is recommended that:

- (1) City Council adopt the recommendation forwarded by the Toronto Cycling Committee to request the Province to become more deeply involved in cycling issues and provide funding for a range of programs to promote cycling, increase safety, co-ordinate local cycling efforts and fund infrastructure improvements; and
- (2) the General Manager, Transportation Services be directed to request a meeting with staff from the Ministry of Transportation for Ontario to discuss potential partnership and funding opportunities for Toronto cycling programs and infrastructure projects.

On motion by Councillor Giambrone, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (December 14, 2005) from the General Manager, Transportation Services.

### **Report 1, Clause 6**

### **1.13 Winter Service Operations**

The Works Committee considered a communication (November 24, 2005) from the Toronto Cycling Committee advising that the Committee on November 21, 2005, recommended that the Works Committee:

- (1) request the General Manager, Transportation Services Division, to report on:
  - (a) the addition of a separate road classification for streets with a bike lane and streets with a signed bicycle route in the Transportation Services “Guidelines for Initiation and Completion of Snow Removal”, giving a higher level of service than is currently employed on these types of streets; and
  - (b) the feasibility of removing cars parked in bike lanes during snow emergencies to allow for snow clearing;
- (2) conduct periodic checks on the clearing of bike lanes to at least one metre as outlined in the Winter Services Operations document and report on the results to the Toronto Cycling Committee; and
- (3) explore the feasibility of night-time clearance of snow in parking lay-bys on streets with bike lanes (e.g., St. George Street, College Street) including the option of using smaller vehicles with sharper turning ability.

On motion by Councillor Giambrone, the Works Committee referred the communication from the Toronto Cycling Committee to the General Manager, Transportation Services for consideration and report to the Works Committee.

(General Manager, Transportation Services – January 17, 2006)

### **Report 1, Clause 15(j)**

### **1.14 Smog Alert Days**

The Works Committee considered a communication (November 24, 2005) from the Toronto Cycling Committee advising that the Committee on November 21, 2005, recommended that the Works Committee request Toronto Public Health/Board of Health to investigate options for enhancing bike priority as a public health protection measure on smog alert days, including comment on possible bike priority measures on Bloor Street, as a component of the

September 14, 2005, Works Committee approval of a communication to the Works Committee on the “Tooker Gomberg Memorial Bike Lane”.

On motion by Councillor Palacio, the Works Committee concurred in the following recommendation contained in the communication from the Toronto Cycling Committee, and directed that it be forwarded to the Board of Health for consideration:

“That Toronto Public Health/Board of Health investigate options for enhancing bike priority as a public health protection measure on smog alert days, including comment on possible bike priority measures on Bloor Street, as a component of the September 14, 2005, Works Committee approval of a communication to the Works Committee on the “Tooker Gomberg Memorial Bike Lane”.

(Board of Health; c. General Manager, Transportation Services – January 17, 2006)

### **Report 1, Clause 15(k)**

#### **1.15 Development infrastructure Policy and Standards – Phase 2 Report – Installation of Fibre Optic Cable and Co-axial Cable Ducts in New Streets and Developer/Owner Contribution Level for Annual Traffic Calming Costs**

The Works Committee considered the following:

- Communication (December 12, 2005) from the City Clerk advising that City Council on December 5, 6 and 7, 2005, amended Clause 2, Joint Report 2 of the Planning and Transportation Committee and Works Committee by striking out and referring the following Joint Recommendations (2) and (5) of the Planning and Transportation Committee and Works Committee to the Works Committee for further consideration:
  - “(2) require all new streets to contain ducts for the installation of fibre optic cable and co-axial cable, and that the Technical Services Division develop a standard design and installation protocol to make provision for a cabling system including ‘to the property line provisions’ analogous to a municipal water or sewer system; and
  - (5) require developers of new subdivisions to contribute an amount to the traffic calming reserve to be used to fund future traffic calming installations, if and when required.”

- Report (December 16, 2005) from the Executive Director, Technical Services responding to Council's request to report back on installation of fibre optic cable and co-axial cable ducts in new streets.

Recommendations:

It is recommended that:

- (1) for new subdivisions, any necessary infrastructure for telecommunication (fibre optic or co-axial) be incorporated into the design of new streets and constructed as part of the subdivision;
  - (2) the installation of surplus ducts for telecommunication is not necessary for new and existing local residential streets; and
  - (3) the current circulation process to the Toronto Public Utility Coordinating Committee, as well as individual utility companies, for transportation capital works projects be continued in order for utility companies to identify where telecommunication infrastructure has to be installed or upgraded as part of the construction project.
- Report (December 9, 2005) from the General Manager, Transportation Services responding to the request to report on appropriate contributions from developers to cover the City of Toronto's annual cost of Traffic Calming.

Recommendation:

It is recommended that the developers/owners of new subdivisions not be required to make contributions to a Traffic Calming Reserve Fund.

On motion by Councillor Giambrone, the Works Committee recommended that City Council:

- (a) adopt the staff recommendations in the Recommendations Section of the report (December 16, 2005) from the Executive Director, Technical Services, as follows:

“It is recommended that:

- (1) for new subdivisions, any necessary infrastructure for telecommunication (fibre optic or co-axial) be incorporated



into the design of new streets and constructed as part of the subdivision;

- (2) the installation of surplus ducts for telecommunication is not necessary for new and existing local residential streets; and
- (3) the current circulation process to the Toronto Public Utility Coordinating Committee, as well as individual utility companies, for transportation capital works projects be continued in order for utility companies to identify where telecommunication infrastructure has to be installed or upgraded as part of the construction project.”; and

- (b) adopt the staff recommendation in the Recommendation Section of the report (December 9, 2005) from the General Manager, Transportation Services, as follows:

“It is recommended that the developers/owners of new subdivisions not be required to make contributions to a Traffic Calming Reserve Fund.”

### **Report 1, Clause 7**

#### **1.16 Provision of Engineering Services for the Expansion of the F.J. Horgan Water Treatment Plant – Request for Proposal 9117-05-7324**

The Works Committee considered the following:

- Report (October 27, 2005) from the Executive Director, Technical Services and the Treasurer advising of the results of Request for Proposals (RFP) 9117-05-7324 for the provision of engineering services for the expansion of the F.J. Horgan Water Treatment Plant, and requesting authority to enter into an agreement with the recommended proponent.

#### Recommendations:

It is recommended that:

- (1) prior approval for the project cost of \$10,654,572.40 net of GST be approved for the CPW002-02 F.J. Horgan Water Treatment Plant Expansion with cash flows of \$50,000.00 in 2005, \$701,000.00 in 2006, \$3,000,000.00 in 2007, \$2,500,000.00 in 2008, \$2,500,000.00 in 2009, and \$1,903,572.40 in 2010;

- (2) subject to approval of Recommendation (1), authority be granted to award the contract to CH2M HILL Canada Limited, being the lowest cost and the highest overall scoring proponent meeting the requirements, to provide engineering services for preliminary design, detailed design, construction administration, and post construction services for the expansion of the F.J. Horgan Water Treatment Plant in the City of Toronto, at a cost of \$11,400,392.52 including all applicable taxes, charges, and contingency allowances as follows:
  - (a) for the pre-design and detailed design including soil investigation work, an amount not to exceed \$6,824,888.45 including disbursements and GST, and including a contingency allowance of \$624,000.00 for additional services, if necessary and authorized by the Executive Director, Technical Services;
  - (b) for services during construction including general office administration and site supervision services, an amount not to exceed \$4,378,601.81, including construction disbursements and GST for a construction period of up to 40 months. This amount also includes a contingency allowance of \$401,000.00 including GST, and to cover resident staff services during construction beyond a period of 40 months at a rate not to exceed \$15,191.65 per week including disbursements and GST, if necessary, and authorized by the Executive Director, Technical Services; and
  - (c) for the post-construction services, an amount not to exceed \$196,902.26, including disbursements and GST, and including a contingency allowance of \$18,000.00 for additional services, if necessary, and authorized by the Executive Director, Technical Services;
- (3) in the event that the 2006 Toronto Water Capital Budget is delayed, the Toronto Water 2005 Capital Budget be amended as follows: the total project costs for account F.J. Horgan Water Treatment Plant Expansion – CPW002-02 – be increased to \$10,654,600.00 with cash flows of \$50,000.00 in 2005, \$701,000.00 in 2006, \$3,000,000.00 in 2007, \$2,500,000.00 in 2008, \$2,500,000.00 in 2009, and \$1,903,572.40 in 2010;
- (4) this report be forwarded to the Policy and Finance Committee for consideration; and

- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- Briefing Note (December 1, 2005) from the Director, Water Treatment and Supply, Toronto Water, responding to the request of the Works Committee on November 8 and 9, 2005, to submit a briefing note on the plant expansion at F. J. Horgan Water Treatment Plant.

On motion by Councillor Giambrone, the Works Committee, at that portion of its meeting on January 11, 2006, recommended to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (October 27, 2005) from the Executive Director, Technical Services and the Treasurer respecting Provision of Engineering Services for the Expansion of the F.J. Horgan Water Treatment Plant – Request for Proposal 9117-05-7324.

(Policy and Finance Committee; Executive Director, Technical Services; Treasurer; c. Fareed Amin, Deputy City Manager – January 17, 2006)

### **Report 1, Clause 15(l)**

#### **1.17 Amendment to Contract Nos. 47007807, 47007808, 47007809, and 47008019 – Utility Company Infrastructure Relocation during Capital Construction Projects (All Wards)**

The Works Committee considered a report (December 19, 2005) from the Executive Director, Technical Services requesting authority to: (i) amend the existing upset limits and/or validity dates for Contract Nos. 47007807, 47007808, 47007809 and 470080119 for contracted services related to utility company infrastructure relocation during City capital construction projects; and (ii) retain the Toronto Transit Commission (TTC) to provide contracted services related to the relocation of TTC infrastructure.

#### Recommendations:

It is recommended that:

- (1) Contract No. 47007807 with Bell Canada be amended by \$625,000.00 from \$250,000.00 to \$875,000.00 including all taxes and charges;

- (2) Contract No. 47007809 with Enbridge Gas Distribution Inc. be amended by \$315,000.00 from \$250,000.00 to \$565,000.00 including all taxes and charges;
- (3) Contract No. 47008019 with Toronto Hydro Electric System Limited be amended by \$1,840,000.00 from \$1,600,000.00 to \$3,440,000.00 including all taxes and charges;
- (4) the validity date of Contract Nos. 47007807, 47007808, 47007809, and 47008019 be amended to December 31, 2007;
- (5) the Toronto Transit Commission be retained to provide contracted services related to TTC infrastructure relocation in the amount of \$125,000.00 from January 1, 2006 to December 31, 2007; and
- (6) the appropriate City officials be authorized to take the necessary action to give effect thereto.

On motion by Councillor Del Grande, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (December 19, 2005) from the Executive Director, Technical Services.

### **Report 1, Clause 8**

#### **1.18 Impacts of Further Urban Expansion in York Region on the City of Toronto in Terms of Stormwater Quality and Quantity, Air Quality, Traffic Congestion and Impacts on Toronto's Infrastructure (City-wide)**

The Works Committee considered the following:

- (i) Report (October 26, 2005) from Deputy City Manager Fared Amin responding to the request of the Works Committee on September 14, 2005, to report on the impacts of further urban expansion in York Region on the City of Toronto in terms of stormwater quality and quantity, air quality, traffic congestion and on Toronto's infrastructure.

#### Recommendation:

It is recommended that this report be received for information.

- (ii) Communication (December 13, 2005) from the City Clerk advising that City Council on December 5, 6 and 7, 2005, referred Motion J(23) by Councillor Moscoe, seconded by Councillor Del Grande, headed "York Durham Sewer System – Request

for Injunction”, to the Works Committee for consideration, and wherein it is recommended as follows:

**“WHEREAS** the City of Toronto has officially expressed its concern regarding the York Durham Sewer System and the need for a Full Environmental Assessment of the entire project; and

**WHEREAS** the federal election has caused a delay in the federal government’s response to the City’s resolution dated October 27, 2005; and

**WHEREAS** sections of this project have implications with respect to federal jurisdiction and lands; and

**WHEREAS** the Region of York continues to dewater aquifers of the Oak Ridges Moraine/Rouge Watershed and continues to pursue further Ministry of Environment (MOE) approvals to construct the 19<sup>th</sup> Avenue phase of this project across the Oak Ridges Moraine, involving further water-takings and dewatering with potentially damaging impacts to the City of Toronto; and

**WHEREAS** York Region has accelerated the construction of the big pipe in response to the City of Toronto’s resolution, and they anticipate substantially constructing the project before the federal government is in a position to take any action on this matter; and

**WHEREAS** the provincial government has chosen to ignore the comments and recommendations made by Ontario’s Environmental Commissioner and continues to allow this project to proceed;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Toronto direct the City Solicitor to seek an injunction to prevent this project from proceeding until such time that the federal government is in a position to respond to the City’s request for a review and full Federal Environmental Assessment of all phases of the York Durham Sewer System;

**AND BE IT FURTHER RESOLVED THAT** Council direct Deputy City Manager Fareed Amin, or his designate, to attend and represent the City’s interests at York Region’s public meeting on December 8, 2005, regarding the 19<sup>th</sup> Avenue phase and the permit to take-water as part of the approval process.”

- (iii) Confidential report (January 6, 2006) from the City Solicitor responding to the request of the Works Committee to report with respect to possible violations of

environmental laws related to the York Durham Sewage System, such report to be considered in camera as the subject matter relates to Solicitor-Client privilege and potential litigation.

Recommendation:

It is recommended that the report be received for information.

- (iv) Submission (January 10, 2006) from Karen Buck and Karey Shinn, Community Co-Chairs, Ashbridges Bay Treatment Plant (ABTP) Neighbourhood Liaison Committee (NLC).

The following persons addressed the Works Committee:

- Jim Robb, Rouge Dufferin Green Space Coalition, and filed a written submission;
- David Donnelly, Legal Counsel, Environment Defence, and filed a copy of his power point presentation;
- Councillor Jane Underhill, Township of King, and filed a written submission;
- Carrie Hoffelner, Jefferson Forest Residents' Association;
- Councillor Elio Di Iorio, Town of Richmond Hill;
- Harvey Tenenbaum;
- Marianne Yake; and
- Michael McMahon, and filed a written submission.

The Works Committee recommended to Council that:

- (1) the City of Toronto reiterate its request to the Province of Ontario to issue a stop work order on the Big Pipe until the project has received the necessary Federal Environmental Assessment and Fisheries Act approvals; and further the Province be requested to provide the City with a status report on this matter;

**(Motion by Councillor De Baeremaeker)**

- (2) the City of Toronto request the Environmental Commissioner of Ontario to initiate a Special Report under section 58(4) of the Ontario Environmental Bill of Rights to investigate the impacts of the Big

Pipe and summon witnesses with knowledge of suspected violations of environmental statutes; and

**(Motion by Councillor De Baeremaeker)**

- (3) City Council authorize the City Manager to request, under Freedom of Information legislation, the following:
- (a) that the Federal Environment Canada provide the City with a full investigation file compiled by Michael Bell of Environment Canada during 2004/2005 with regard to York Region's 16<sup>th</sup> Avenue Trunk Sewer project, including any associated reports and correspondence (to or from) other government agencies and/or officials such as: the Department of Fisheries and Oceans; the Toronto and Region Conservation Authority; the Federal Department of Justice; the Ontario Ministry of Environment; the Ontario Ministry of Natural Resources; and York Region and its consultants;
  - (b) that the Federal Department of Fisheries and Oceans provide the City with access to the investigation files compiled by the Federal Department of Fisheries and Oceans as well as any reports and correspondence to the 9<sup>th</sup> Line and 16<sup>th</sup> Avenue Trunk Sewer Projects and the potential for harm to fish habitat;
  - (c) that the Provincial Ministry of Environment provide the City with access to the full investigation file compiled by Dave Grisbrook (Provincial Ministry of Environment, Durham) during 2004/2005 with respect to the 16<sup>th</sup> Avenue Trunk Sewer; and
  - (d) that the Toronto and Region Conservation Authority provide access to the full Toronto and Region Conservation Authority file with regard to the 9<sup>th</sup> Line and 16<sup>th</sup> Avenue Trunk Sewers, including:
    - (i) groundwater pumping rate and discharge information;
    - (ii) groundwater level drawdown information for all wells;
    - (iii) stream base flow monitoring within the Rouge watershed;

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- (iv) fish and benthic monitoring within the Rouge watershed;
- (v) all information associated with the assessment of actual or potential harm to fish habitat;
- (vi) all water temperature, chemistry and fish habitat information;
- (vii) all information associated with rehabilitation of impact plans;
- (viii) all correspondence between the Toronto and Region Conservation Authority and other government agencies; and
- (ix) all reports and correspondence from York Region,

and submit a report thereon to the Works Committee.

**(Motion by Councillor Del Grande)**

The Works Committee further:

- (a) requested the City Manager to consider allocating the \$100,000.00 approved by Council on October 26, 27, 28 and 31, 2005, by adoption of Report 9, Clause 1 of the Policy and Finance Committee, headed "Potential Impacts of Existing Sewers and Proposed Trunk Sewers in York Region on Waterbodies in the City of Toronto", as follows:
  - (i) \$50,000.00 to gather hydrogeological evidence of harm to the shared aquifers, and impacts to the shared fisheries; and
  - (ii) \$50,000.00 for an independent legal opinion, through Environment Defence Canada, outlining the requirements for obtaining an imminent harm injunction in advance of any further harm to the resources; and

**(Motion by Councillor De Baeremaeker)**

- (b) received the following:



- report (October 26, 2005) from Deputy City Manager Fareed Amin;
- communication (December 13, 2005) from the City Clerk; and
- confidential report (January 6, 2006) from the City Solicitor.

**(Motion by Councillor De Baeremaeker, which was carried unanimously on the following recorded vote:**

**FOR: Councillors Altobello, Carroll, De Baeremaeker, Del Grande, Giambrone and Palacio – 6**

**AGAINST: - 0)**

(Deputy City Manager Fareed Amin; City Manager; General Manager, Toronto Water; City Solicitor; Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence; All Interested Parties – January 17, 2006)

### **Report 1, Clause 10**

#### **1.19 Distribution of City of Toronto Tap Water – Toronto Pure**

The Works Committee considered a communication (December 13, 2005) from the City Clerk advising that City Council on December 5, 6 and 7, 2005, referred Motion I(4) by Councillor Moscoe, seconded by Councillor Carroll, headed “Distribution of City of Toronto Tap Water – Toronto Pure”, to the Works Committee for consideration, and wherein it is recommended as follows:

**“WHEREAS** the City of Toronto’s tap water meets or exceeds any measure of quality standard available; and

**WHEREAS** in every objective evaluation of commercial bottled water, the City of Toronto’s water (Toronto Pure) exceeds the standard of almost all bottled waters; and

**WHEREAS** the City and all of its agencies, boards and commissions have an obligation to promote the quality of our water; and

**WHEREAS** a first step in promoting Toronto water would be to ensure that all City staff stop selling or distributing other than the City’s own product;

**NOW THEREFORE BE IT RESOLVED THAT**, apart from honouring existing contracts, the City of Toronto prohibit the distribution of any water other than Toronto Pure, i.e., City of Toronto tap water, in any City facility or the facilities of its agencies, boards and commissions.”

On motion by Councillor Giambrone, the Works Committee recommended that City Council adopt the motion by Councillor Moscoe, seconded by Councillor Carroll, contained in the communication (December 13, 2005) from the City Clerk.

### **Report 1, Clause 11**

#### **1.20 Rear Surface Flooding 220 to 244 Waverley Avenue, 79 to 91 Norway Avenue, and 233 to 241 Kenilworth Avenue (Ward 32, Beaches-East York)**

The Works Committee considered the following:

- (i) Report (December 19, 2005) from the General Manager, Toronto Water responding to a request by Mr. Cosburn of Waverley Avenue, representing 25 homeowners in the area, that the City rectify/repair a deteriorated private catch basin and private drain connection which have and continue to be blocked leading to flooding conditions in the rear of the affected properties; and providing comments on the feasibility of the City bearing the cost of repairs to a deteriorated private catch basin and malfunctioning private drain pipe located in the common parking area serving premises 220 to 244 Waverley Avenue, 79 to 91 Norway Avenue and 233 to 241 Kenilworth Avenue.

#### Recommendations:

It is recommended that:

- (1) no further action be taken by the City with respect to the rear parking area flooding problem at 220 to 234 Waverley Avenue; and
  - (2) the Waverley-Norway Residents' Group be advised that the repairs to the drainage systems on private property are the responsibility of the property owners having ownership and/or rights-of-way access over the common parking and access area.
- (ii) Communication (January 11, 2006) from Deputy Mayor Sandra Bussin, Ward 32, Beaches-East York, in support of the 25 homeowners on Waverley, Kenilworth and Norway Avenues seeking assistance from the City of Toronto with the cost of

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repairing the main catch basin and underground drainage system connected to the City's sewer system in their neighbourhood; and requesting that \$12,000.00 be granted for the repair to assist those residents most affected.

Russell Cosburn and Mary Zambri, on behalf of the residents of Waverley Avenue, Norway Avenue and Kenilworth Avenue, addressed the Works Committee, and filed a written submission.

On motion by Councillor Fletcher, the Works Committee postponed consideration of the report from the General Manager, Toronto Water until the next meeting of the Works Committee to be held on March 7, 2006; and further requested that:

- (i) the General Manager, Toronto Water report to the Works Committee on March 7, 2006, on:
  - the issue of the broken pipes referred to in the deputation from Russell Cosburn and Mary Zambri; and
  - the impacts of relief with respect to similar situations in the Toronto area, in particular Scarborough and North York; and
- (ii) the Executive Director, Municipal Licensing and Standards, the General Manager, Toronto Water, and the City Solicitor report to the Works Committee on March 7, 2006, on:
  - (a) ways that the City can assist groups of citizens experiencing similar problems to come to a resolution, i.e., through the City undertaking a possible formal mediator/facilitator role;
  - (b) the feasibility of enforcing the Drainage By-law and Property Standards By-law with respect to the rear surface flooding problems at 220-244 Waverley Avenue, 79-91 Norway Avenue and 233-241 Kenilworth Avenue, thereby requiring Municipal Licensing and Standards to issue a notice to homeowners indicating that the deteriorated private catch basins and private drain connections should be repaired at the homeowners' expense, and that if the work is not undertaken the City would then carry out the repairs with the costs of such repairs to be added to the tax bills of the respective homeowners; and

- (c) whether any solution under Recommendation (ii)(b) could be implemented as a policy City-wide.

(General Manager, Toronto Water; Acting Executive Director, Municipal Licensing and Standards; City Solicitor; Mr. Russell Cosburn; Ms. Mary Zambri; Deputy Mayor Sandra Bussin, Ward 32, Beaches-East York; c. Deputy City Manager Fareed Amin – January 17, 2006)

**Report 1, Clause 15(o)**

**1.21 Consideration for Additional Funding in the 2007 Capital Budget for Source Water Protection, Tree Planting and Downspout Disconnection**

The Works Committee considered a report (December 19, 2005) from the General Manager, Toronto Water responding to the request of the Committee on November 8 and 9, 2005, to report on including additional funding in the 2007 Toronto Water Capital Budget for source water protection, tree planting and downspout disconnection programs.

Recommendations:

It is recommended that:

- (1) the General Manager, Toronto Water report to the Works Committee at its meeting on June 7, 2006, on the implementation of a mandatory downspout disconnection program, with a phase-in period of ten years, and the by-law amendments and funding options required to implement the program; and
- (2) the General Manager, Toronto Water, in preparing Toronto Water's 2007-2011 Capital Budget, consider the following allocations:
  - (a) \$3 million for tree planting for stormwater reduction;
  - (b) \$2 million per year contribution to the Land Acquisition for Source Water Protection of Toronto's Rivers Reserve Account;
  - (c) an amount of \$2 million for the Multi-Year Business Plan to protect the source of Toronto's rivers; and
  - (d) an amount of \$1 million for a Mandatory Downspout Disconnection Program.

The Works Committee also considered a communication (January 12, 2006) from Karen Buck and Karey Shinn, Community Co-Chairs, Ashbridges Bay Treatment Plant (ABTP) Neighbourhood Liaison Committee (NLC).

Karey Shinn, Co-Chair, Ashbridges Bay Treatment Plant (ABTP) Neighbourhood Liaison Committee (NLC), appeared before the Works Committee.

On motion by Councillor De Baeremaeker, the Works Committee:

- (a) concurred in Recommendation (1) of the report from the General Manager, Toronto Water, subject to adding at the end of the recommendation the following words “and on options for source water protection in 2006”, so that the recommendation now reads as follows:

“(1) the General Manager, Toronto Water report to the Works Committee at its meeting on June 7, 2006, on the implementation of a mandatory downspout disconnection program, with a phase-in period of ten years, and the by-law amendments and funding options required to implement the program, and on options for source water protection in 2006”; and

- (b) requested the General Manager, Toronto Water to include in his report to the June 7, 2006, meeting of the Works Committee suggested recommendations pertaining to the allocations referred to in Recommendation (2) of his report.

(General Manager, Toronto Water; Ms. Karey Shinn; Ms. Karen Buck; c. Fareed Amin, Deputy City Manager – January 17, 2006)

### **Report 1, Clause 15(p)**

#### **1.22 Sponsorship and Partnership Opportunities to Enhance the Implementation of the Water Efficiency Program (All Wards)**

The Works Committee considered the following:

- (i) Report (December 19, 2005) from the General Manager, Toronto Water seeking Council authority to enter into partnerships with external parties and investigate potential funding sources when implementing Water Efficiency Program initiatives in order to increase program effectiveness.

Recommendations:

It is recommended that:

- (1) the General Manager of Toronto Water be given the authority to investigate and authorize potential funding sources/sponsorship opportunities and establish partnerships with external parties to enhance existing incentive levels and increase effectiveness of the Water Efficiency Program;
  - (2) the General Manager of Toronto Water be given authority to establish a one-year partnership with Proctor and Gamble (P&G) and accept P&G's contribution of \$20.00 worth of coupons for their brand of high efficiency laundry detergent (Tide HE) to enhance the existing \$60.00 incentive to Residential Washer Program participants;
  - (3) the General Manager of Toronto Water report annually on the progress of the Water Efficiency Plan, including adjustments made to the Water Efficiency Plan incentive programs as a result of any sponsorships implemented to enhance existing incentive levels; and
  - (4) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- (ii) Communication (January 12, 2006) from Karen Buck and Karey Shinn, Community Co-Chairs, Ashbridges Bay Treatment Plant (ABTP) Neighbourhood Liaison Committee (NLC).

Karen Buck, Community Co-Chair, Ashbridges Bay Treatment Plant Neighbourhood Liaison Committee addressed the Works Committee, and filed a written submission, entitled "Study: Household fragrances harm aquatic wildlife".

The Works Committee:

- (a) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (December 19, 2005) from the General Manager, Toronto Water;

**(Motion by Councillor De Baeremaeker)**

- (b) requested the General Manager, Toronto Water to report to the Works Committee on the parameters of creating an environmental and ethical screen that future potential partners would be subject to under the Water Efficiency Program; and

**(Motion by Councillor De Baeremaeker)**

- (c) requested the General Manager, Toronto Water and the Director, Purchasing and Materials Management, to report to the Administration Committee on the feasibility of creating an environmental screen for all cleaning products purchased by the City for use by all divisions and agencies, boards and commissions under its jurisdiction, to ensure that such products are not harmful to the environment.

**(Motion by Councillor Fletcher, which was carried unanimously on the following recorded vote:**

**FOR: Councillors Carroll, De Baeremaeker, Del Grande, Fletcher and Palacio – 5**

**AGAINST: - 0)**

(General Manager, Toronto Water; Ms. Karen Buck; Ms. Karey Shinn; c. Deputy City Manager Fareed Amin – January 17, 2006)

**Report 1, Clause 12**

**1.23 Impacts of Accelerating the City of Toronto's 25-Year Wet Weather Flow Management Master Plan to a 15-Year Plan**

The Works Committee considered the following:

- (i) Report (December 19, 2005) from the General Manager, Toronto Water responding to the request of the Works Committee on November 8 and 9, 2005, to report on the potential financial implications and impacts of accelerating the implementation of the City of Toronto's 25-year Wet Weather Flow Management Master Plan over 15 years.

Recommendation:

It is recommended that this report be received for information.

- (ii) Communication (January 12, 2006) from Karen Buck and Karey Shinn, Community Co-Chairs, Ashbridges Bay Treatment Plant (ABTP) Neighbourhood Liaison Committee (NLC).
- (iii) Communication (January 10, 2006) from Karey Shinn respecting the 25-year Wet Weather Flow Management Master Plan; and recommending that it is time to review the performance data on the Eastern Tanks and Western Tunnel.

Karen Buck, Community Co-Chair, Ashbridges Bay Treatment Plant Neighbourhood Liaison Committee addressed the Works Committee.

Councillor De Baeremaeker moved that the report of the General Manager, Toronto Water be received, **which was carried unanimously on the following recorded vote:**

**FOR: Councillors Carroll, De Baeremaeker, Del Grande, Fletcher and Palacio – 5**

**AGAINST: - 0**

(General Manager, Toronto Water; Ms. Karen Buck; Ms. Karey Shinn – January 17, 2006)

**Report 1, Clause 15(q)**

**1.24 Award of Long-term Mixed Broken Glass Contract to Unical Inc. Resulting from Stewardship Ontario's Glass Market Development Fund Request for Proposals for the Provision of Processing Capacity For Mixed Broken Glass**

The Works Committee considered a report (December 23, 2005) from the Acting General Manager, Solid Waste Management Services and the Treasurer requesting authority to award a long-term contract with Unical Inc. ("Unical") to process mixed broken glass generated from the City of Toronto.



Recommendations:

It is recommended that:

- (1) the Acting General Manager, Solid Waste Management Services, be authorized to enter into an agreement with Unical Inc. to process Toronto's mixed broken glass, currently estimated to be approximately 30,000 to 35,000 tonnes per year, for a term of seven years plus, at the City's sole discretion, three optional one-year extensions at per-tonne prices not to exceed \$11.50 in Years 1 to 3, \$9.00 in Years 4 and 5, and \$4.00 for the remainder of the contract, excluding applicable taxes (shown in Table 2 titled 'Mixed Broken Glass – Cost of Services') and as outlined in the Glass Market Development Fund Request for Proposals for the Provision of Processing Capacity for Mixed Broken Glass and Unical-Gaudreau Group's June 10, 2005 proposal, such agreement to be on the terms and conditions described in this report and otherwise on terms and conditions consistent with this report and satisfactory to the Acting General Manager of Solid Waste Management Services and in a form satisfactory to the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Giambrone, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (December 23, 2005) from the Acting General Manager, Solid Waste Management Services and the Treasurer.

**Report 1, Clause 1**

**1.25 Test Results of New Recycling/Litter Bins**

The Works Committee considered a report (January 3, 2006) from the General Manager, Solid Waste Management Services advising of the results of the test of the proposed new Eucan recycling/litter bins.

Recommendations:

It is recommended that:

- (1) this report be received for information and forwarded to the Community Councils for hearing of deputations at their meeting on February 7, 2006, and that the Community Councils report back to the March 7, 2006 Works Committee meeting with their recommendations; and

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- (2) staff consolidate the responses of the Community Councils, provide an update on the status of the street harmonization Request for Proposals process and put forward a position on whether to accept Eucan's proposal, in a report to the March 7, 2006 meeting of the Works Committee.

The Works Committee also considered communications from the following:

- (December 30, 2005) from Andrew Arnold, addressed to Councillor Paula Fletcher; and
- (January 10, 2005) from James L. Robinson, Executive Director, Downtown Yonge BIA.

The following persons addressed the Works Committee:

- Alison Gorbould;
- Jonathon Goldsbie, Toronto Public Space Committee;
- Michael Rosenberg;
- Rolando Garcia, Chief Executive Officer, Eucan Urban Equipment of Canada Inc.;
- Dave Meslin;
- Councillor Janet Davis, Ward 31, Beaches-East York;
- Councillor Denzil Minnan-Wong, Ward 34, Don Valley East; and
- Councillor Michael Walker, Ward 22, St. Paul's.

On motion by Councillor Giambrone, as amended by Councillor Carroll, the Works Committee

- (i) referred back the report of the General Manager, Solid Waste Management Services to allow for the gathering of additional quantitative data on the recycling performance of the test bins, and to allow for consideration of the results of the Eucan test simultaneously with the report expected on a Harmonized Street Furniture approach, scheduled to be submitted to the May 3, 2006, meeting of the Works Committee; and further that the report be forwarded to the City Manager's Office for input prior to submission to the Works

Committee and also with respect to Council's direction of July 20, 21 and 22, 2004; and

- (ii) requested the General Manager, Solid Waste Management Services, when reporting back to the May 3, 2006 meeting of the Works Committee, to amend the staff recommendations contained in his January 3, 2006, report to provide for the revised dates for the proposed Community Council consultation and date for report back to the Works Committee on the outcome of such consultation.

**which was carried unanimously on the following recorded vote:**

**FOR: Councillors Altobello, Carroll, De Baeremaeker, Del Grande, Fletcher, Giambrone and Palacio – 7**

**AGAINST: - 0**

(General Manager, Solid Waste Management Services; City Manager; All Interested Parties; c. Deputy City Manager Fareed Amin; Council Administrator, Toronto and East York Community Council; Council Administrator, Scarborough Community Council; Council Administrator, Etobicoke and York Community Council; Council Administrator, North York Community Council – January 17, 2006)

### **Report 1, Clause 15(e)**

#### **1.26 Works Committee Report 11, Clause 16(f) headed “Outcome of Meeting with Representatives of the Toronto Civic Employees’ Union, Local 416 – Recycling Collection Operations in Former York and Etobicoke**

The Works Committee considered the following:

- (i) Communication (December 19, 2005) from the City Clerk advising that City Council on December 14 and 16, 2005, referred back to the Works Committee for further consideration Clause 16(f) of Report 11 of the Works Committee, headed “Outcome of Meeting with Representatives of the Toronto Civic Employees’ Union, Local 416 - Recycling Collection Operations in Former York and Etobicoke”.
- (ii) Briefing Note (January 9, 2006) from the General Manager, Solid Waste Management Services responding to the request of the Works Committee on November 8 and 9, 2005, to provide an update on the status of the consultation process with representatives of the Toronto Civic Union Employee’s Union,

Local 416, and Etobicoke and York Councillors, on options for addressing currently contracted waste and recycling collection operations in the former York and Etobicoke.

- (iii) Communication (undated) from Councillor Karen Stintz, Ward 16, Eglinton-Lawrence, requesting that the General Manager, Solid Waste Management Services include in his report to the Works Committee the additional pressure to the unfunded employee benefit liability when considering the option to in-source recycling collection operations in former York and Etobicoke.
- (iv) Communication (January 11, 2006) from Councillor Suzan Hall, Ward 1, Etobicoke North, recommending that an independent survey/polling firm be hired to undertake a random survey of Etobicoke and York residents across all wards in the West District with the aim of determining resident/client satisfaction with current out-sourced operations operated by Turtle Island, and that the results of this survey be included as part of the Works Committee consideration of the Outcome of Meeting with Representatives of the Toronto Civic Employees' Union, Local 416 – Recycling Collection Operations in Former York and Etobicoke on March 7, 2006.

The following persons addressed the Works Committee:

- Councillor Karen Stintz, Ward 16, Eglinton-Lawrence;
- Councillor Suzan Hall, Ward 1, Etobicoke North; and
- Brian Cochrane, President, Toronto Civic Employees' Union, Local 416.

The Works Committee:

- (1) requested the General Manager, Solid Waste Management Services to conduct a representative survey of residents across the City to determine service levels with respect to garbage collection; and further that the results of this survey, including a comparison of the service levels based on collection by City employees and by private contractors, be included in the forthcoming report to the Works Committee on the "Outcome of Meeting with Representatives of the Toronto Civic Employees' Union, Local 416 – Recycling Collection Operations in Former York and Etobicoke";

**(Motion by Councillor Giambrone)**

- (2) referred the communication from Councillor Stintz to the General Manager, Solid Waste Management Services for consideration, with

a request that the costs with respect to unfunded employee benefit liability also be included in the report to be submitted to the meeting of the Works Committee; and

**(Motion by Councillor Carroll, on behalf of Councillor Stintz)**

- (3) received the communication (December 19, 2005) from the City Clerk and the Briefing Note (January 9, 2006) from the General Manager, Solid Waste Management Services.

**(Motion by Councillor Giambrone)**

The following motion by Councillor Del Grande, on behalf of Councillor Hall, **was withdrawn**:

“That the General Manager, Solid Waste Management Services be requested to hire an independent survey/polling firm to undertake a random survey of Etobicoke and York residents across all wards of the West District with the aim of determining resident/client satisfaction with current out-sourced operations offered by Turtle Island; and further that the results of this consultation process be included in the General Manager’s report to the March 7, 2006 meeting of the Works Committee.”

(General Manager, Solid Waste Management Services; Councillor Karen Stintz, Ward 16, Eglinton-Lawrence; Councillor Suzan Hall, Ward 1, Etobicoke North; Mr. Brian Cochrane, President, Toronto Civic Employees’ Union, Local 416; c. Deputy City Manager Fareed Amin – January 17, 2006)

**Report 1, Clause 15(f)**

**1.27 Morningside Avenue/Finch Avenue/CPR Grade Separations Project Status Report  
(Ward 42, Scarborough-Rouge River)**

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The Works Committee considered a report (December 23, 2005) from the Executive Director, Technical Services and the Treasurer providing a update on the progress of the Morningside Avenue/Finch Avenue/CPR Grade Separations Project; advising of the results of the Tender issued for Finch Avenue/CPR Grade Separation Structural Steel through Plate Girders in Scarborough District, in accordance with specifications as required by the Technical Services Division, and requesting authority to award a contract to the recommended bidder; and further requesting authority to enter into an agreement with the Canadian Pacific Railway Company allowing the City's contractor to perform work on railway property.

Recommendations:

It is recommended that:

- (1) Contract 05ED-24S, Tender Call 245-2005 for Finch Avenue/CPR Grade Separation Structural Steel Through Plate Girders, in Scarborough District, be awarded to Walters Inc., in the amount of \$1,892,081.00 including all taxes and charges, being the lowest bid received;
- (2) the City of Toronto enter into an agreement with the Canadian Pacific Railway Company with Terms and Conditions satisfactory to the Deputy City Manager and in a form satisfactory to the City Solicitor allowing the City's contractor to perform work related to the Morningside Avenue/Finch Avenue/CPR Grade Separations Project on railway property; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Councillor Fletcher moved that, in accordance with the Municipal Act, the Works Committee meet privately to consider the report "Morningside Avenue/Finch Avenue/CPR Grade Separations Project Status Report (Ward 42, Scarborough-Rouge River)", in that the subject matter relates to the security of the property of the municipality.

The Works Committee recessed at 5:40 p.m. on Thursday, January 12, 2006, to meet in camera.

Members Present:

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Councillor Shelley Carroll, Chair  
Councillor Adam Giambrone, Vice-Chair  
Councillor Gerry Altobello  
Councillor Glenn De Baeremaeker  
Councillor Mike Del Grande  
Councillor Paula Fletcher  
Councillor Cesar Palacio

The Works Committee adjourned its private meeting at 6:40 p.m., and immediately reconvened in public session with the following members in attendance.

Councillor Shelley Carroll, Chair  
Councillor Adam Giambrone, Vice-Chair  
Councillor Glenn De Baeremaeker  
Councillor Paula Fletcher

On motion by Councillor Carroll, the Works Committee:

- (i) awarded the contract as recommended in staff recommendation (1) in the Recommendations Section of the report (December 23, 2005) from the Executive Director, Technical Services and the Treasurer, and in accordance with Section 195.15 of the Toronto Municipal Code, Purchasing; and
- (ii) recommended that City Council adopt staff recommendations (2) and (3) in the Recommendations Section of the report (December 23, 2005) from the Executive Director, Technical Services and the Treasurer, as follows:
  - “(2) the City of Toronto enter into an agreement with the Canadian Pacific Railway Company with Terms and Conditions satisfactory to the Deputy City Manager and in a form satisfactory to the City Solicitor allowing the City’s contractor to perform work related to the Morningside Avenue/Finch Avenue/CPR Grade Separations Project on railway property; and
  - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”

(Executive Director, Technical Services; Treasurer; c. Deputy City Manager  
Fareed Amin – January 17, 2006)

**Report 1, Clause 9**

**1.28 Contract 05FS-15S, Tender Call 248-2005 – Don Mills Road Bridge Over Highway 401 – Structure Rehabilitation (Wards 33 and 34, Don Valley East)**

The Works Committee considered a report (January 3, 2006) from the Executive Director, Technical Services and the Treasurer advising of the results of Tender Call 248-2005, Contract 05FS-15S issued for the Structural Rehabilitation of the Don Mills Road Bridge over Highway 401.

Recommendation:

It is recommended that Contract 05FS-15S, Tender Call 248-2005, for the Don Mills Road Bridge over Highway 401, Structure Rehabilitation be awarded to Bob Hendricksen Construction Limited, in the total amount of \$5,676,085.71, including all taxes and charges, having submitted the lowest acceptable bid meeting specifications.

The Chair appointed Councillor Giambrone Acting Chair and vacated the Chair.

On motion by Councillor Carroll, the Works Committee awarded the contract as recommended in the staff recommendations in the Recommendations Section of the report from the Executive Director, Technical Services and the Treasurer, and in accordance with Section 195.15 of the Toronto Municipal Code, Purchasing.

Councillor Carroll resumed the Chair.

(Executive Director, Technical Services; Treasurer; c. Fareed Amin, Deputy City Manager – January 17, 2006)

**Report 1, Clause 15(m)**

**1.29 Purchase Order Amendments – Brown Daniels Associates Inc., SAP Purchase Order 6017678 and Earth Tech (Canada) Inc. SAP Purchase Order 6013866**

The Works Committee considered the following:



- Report (December 15, 2005) from the General Manager, Toronto Water and the Chief Corporate Officer seeking City Council's approval to amend the current purchase orders with Brown Daniels Associates Inc. for construction and with Earth Tech (Canada) Inc. for the design and engineering services, currently performing work for Toronto Water at 60 Tiffield Road, to enable the Information and Technology Division to utilize the facility as an alternate Data Centre.

Recommendations:

It is recommended that:

- (1) City Council approve the amendment of the current SAP Purchase Order 6017678 with Brown Daniels Associates Inc. for \$2,845,474.55, including all taxes and charges by \$800,000.00 to \$3,645,474.55 inclusive of all taxes and charges, to cover the addition in scope for the Information and Technology Division's requirements;
  - (2) City Council approve the amendment of the current SAP Purchase Order 6013866 with Earth Tech (Canada) Inc. for \$284,098.05, including all taxes and charges by \$80,500.00 to \$364,598.05 inclusive of all taxes and charges, to cover the addition in scope for design and engineering work for the Information and Technology Division's requirements; and
  - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- Briefing Note (December 16, 2005) from Ottavio Esposito outlining the pros and cons of Insourcing versus Outsourcing for an Information and Technology Disaster Recovery site, as well as the costs involved for the options described.

On motion by Councillor Giambrone, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (December 15, 2005) from the General Manager, Toronto Water and the Chief Corporate Officer.

**Report 1, Clause 13**

**1.30 Water Service Repair – 43 Dixon Avenue Resulting from Root Damage by City Tree**

The communication (January 3, 2006) from Deputy Mayor Sandra Bussin, Ward 32, Beaches-East York, headed "Water Service Repair – 43 Dixon Avenue, Resulting from Root Damage by City Tree," was withdrawn at the request of Deputy Mayor Sandra Bussin, and will be considered at the meeting of the Works Committee on March 7, 2006.

(General Manager, Toronto Water; Deputy Mayor Sandra Bussin –  
January 17, 2006)

**Report 1, Clause 15(r)**

**1.31 Claim of Recycle Plus Ltd. Arising Out of Termination of Contract**

The Works Committee considered a confidential report (December 23, 2005) from the City Solicitor respecting the claim of Recycle Plus Ltd. arising out of the termination of a contract, such report to be considered in camera as the subject matter relates to litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality.

Councillor Del Grande moved that, in accordance with the Municipal Act, the Works Committee meet privately to consider the report “Claim of Recycle Plus Ltd. Arising Out of Termination of Contract”, in that the subject matter relates to litigation or potential litigation.

The Works Committee recessed at 3:25 p.m. on Monday, January 16, 2006, to meet in camera.

Members Present:

Councillor Shelley Carroll, Chair  
Councillor Glenn De Baeremaeker  
Councillor Mike Del Grande  
Councillor Paula Fletcher  
Councillor Cesar Palacio

The Works Committee adjourned its private meeting at 3:55 p.m., and immediately reconvened in public session with the foregoing members in attendance.

On motion by Councillor Del Grande, the Works Committee recommended that City Council adopt the staff recommendation in the Recommendation Section of the confidential report (December 23, 2005) from the City Solicitor.

**Report 1, Clause 14**

**1.32 Tender 200-2005, Contract 05ND-04RD – Ferma Road Construction Limited**

The Works Committee considered a communication (January 11, 2006) from Councillor Giorgio Mammoliti, Ward 7, York West, expressing concern with respect to Tender 200-2005, Contract 05ND-04RD, which was subsequently cancelled, and the possible leak of information that occurred within the Purchasing and Materials Management Division regarding non-compliance of the low bidder.

Councillor Giorgio Mammoliti, Ward 7, York West, addressed the Works Committee.

On motion by Councillor Altobello, the Works Committee referred the communication from Councillor Mammoliti to Deputy City Manager Fareed Amin, with a request that he investigate the concerns outlined, including why the Purchasing and Materials Management Division has not responded to Councillor Mammoliti's enquiries, and report thereon to the appropriate Standing Committee.

(Deputy City Manager Fareed Amin; Executive Director, Technical Services; Acting Director, Purchasing and Materials Management; Councillor Giorgio Mammoliti, Ward 7, York West; Antonio Ferragine, President, Ferma Road Construction Ltd.; Nicholas Vardin, Vardin & Associates Inc. – January 17, 2006)

**Report 1, Clause 15(n)**

The Works Committee adjourned its meeting at 5:10 p.m.

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Chair