

THE CITY OF TORONTO

City Clerk's Office

Minutes of the Works Committee

Meeting 5

Wednesday, July 5, 2006

The Works Committee met on Wednesday, July 5, 2006, in Committee Room 1, 2nd Floor, City Hall, 100 Queen Street West, Toronto, commencing at 9:37 a.m.

Members Present:	<u>9:37 a.m.-12:40 p.m.</u>	<u>2:10 p.m.-8:11 p.m.</u>
Councillor Shelley Carroll, Chair	x	x
Councillor Paul Ainslie	x	x
Councillor Glenn De Baeremaeker	x	x
Councillor Mike Del Grande	x	x
Councillor Paula Fletcher	x	x
Councillor Adam Giambrone, Vice-Chair	x	x
Councillor Cesar Palacio	x	x

Also Present:

Deputy Mayor Sandra Bussin
Councillor Frances Nunziata
Councillor Michael Walker
Councillor Sylvia Watson

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

Confirmation of Minutes

On motion by Councillor Ainslie, the Minutes of the joint meeting of the Planning and Transportation Committee and the Works Committee on May 30, 2006, and the Minutes of the meeting of the Works Committee on June 7, 2006, were confirmed.

5.1 Pocket Bikes on Toronto Residential Streets and Sidewalks

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The Works Committee considered a communication (June 8, 2006) from the Toronto Pedestrian Committee advising that the Committee on May 18, 2006, recommended to the Works Committee that City Council request:

- (1) the Ministry of Transportation of Ontario to review the Highway Traffic Act and related legislation to determine if illegal use of pocket bikes could better be controlled by specifically defining Pocket Bikes and empowering police officers to confiscate and impound pocket bikes that are illegally used on the public highway;
- (2) staff to report on City Council regulating the sale of Pocket Bikes;
- (3) the City Solicitor to report on whether pocket bikes might be considered a dangerous product, and the legal ramifications of that finding; and
- (4) the Chief of Police to consider the concerns expressed over the enforcement of the existing laws such as the City's Noise By-law with respect to Pocket Bikes and to strongly encourage the Toronto Police Service to aggressively pursue the operators and request the Courts to charge for infractions, such as insurance charge.

The following persons addressed the Works Committee:

- Larry Perlman, and filed a written submission;
- Peter Teser, member of the Toronto Pedestrian Committee; and
- Councillor Michael Walker, Ward 22, St. Paul's.

The Works Committee recommended to City Council that:

- (A) the Province of Ontario be requested to:
 - (I) develop enabling legislation to require that manufacturers as well as distributors of pocket bikes shall affix on a pocket bike a sticker with a disclosure stating that the device is prohibited from being operated on a sidewalk, roadway, or any part of a highway, or on a bikeway, bicycle path or trail, equestrian trail, hiking or recreational trail, or on public lands open to off-highway motor vehicle use; and further that such disclosure shall meet both of the following requirements:
 - (1) be printed in not less than 14-point boldface type on a sticker that contains only the disclosure;

- (2) include the following statement:

“The Pocket Bike you have purchased or obtained is strictly prohibited from being operated on a sidewalk, roadway, or any other part of a highway, or on a bikeway, bicycle path or trail, equestrian trail, hiking or recreational trail, or on public lands open to off-highway vehicle use. A violation of this regulation may result in prosecution and seizure of the device.”;

(Motion by Councillor Ainslie)

- (II) amend the Ontario Highway Traffic Act to allow that a peace officer, as defined in the Criminal Code, may cause the removal and seizure of a pocket bike; that a pocket bike so seized shall be held for a minimum of 48 hours; and further that:
- (a) a violator of this section shall be responsible for all costs associated with the removal, seizure, and storage of the pocket bike;
 - (b) a city or municipality may adopt a regulation, ordinance, or resolution imposing charges equal to its administrative costs relating to the removal, seizure, and storage costs of a pocket bike; and that the charges shall not exceed the actual costs incurred for the expenses directly related to removing, seizing, and storing a pocket bike;
 - (c) an agency shall release a seized pocket bike to the owner, violator, or the violator’s agent after 48 hours, if all of the following conditions are met:
 - (i) the violator or authorized agent’s request is made during normal business hours; and
 - (ii) the applicable removal, seizure, and storage costs have been paid by the owner, or any other responsible party; and

(Motion by Councillor Ainslie)

- (III) review the California pocket bike legislation; and

(Motion by Councillor Carroll)

- (B) the Toronto Police Services Board be requested to consider the following Recommendation (4) of the Toronto Pedestrian Committee:

“(4) the Chief of Police be requested to consider the concerns expressed over the enforcement of the existing laws such as the City’s Noise By-law with respect to Pocket Bikes and to strongly encourage the Toronto Police Service to aggressively pursue the operators and request the Courts to charge for infractions, such as insurance charge.”

(Motion by Councillor Carroll)

The Works Committee further:

- (i) referred the following Recommendation (2) of the Toronto Pedestrian Committee to the General Manager, Transportation Services for consideration and report to the Works Committee:

“(2) staff to report on City Council regulating the sale of Pocket Bikes;”;

(Motion by Councillor Carroll)

- (ii) referred the following Recommendation (3) of the Toronto Pedestrian Committee to the City Solicitor for consideration and report to the Works Committee:

“(3) the City Solicitor to report on whether pocket bikes might be considered a dangerous product, and the legal ramifications of that finding;” and

(Motion by Councillor Carroll)

- (iii) requested the General Manager, Transportation Services, in consultation with the City Solicitor, to review with the Toronto Pedestrian Committee possible recommendations to deal with cyclists travelling on the sidewalks, and report thereon to the Works Committee with respect to consideration of the adoption of such recommendations.

(Motion by Councillor Carroll)

The following referral motion by Councillor De Baeremaeker was voted on and did not carry:

“That all motions be referred to the General Manager, Transportation Services for consideration and report to the next meeting of the Works Committee.

(General Manager, Transportation Services; City Solicitor; Chief of Police; Mr. Larry Perlman; e-mail Mr. Peter Teser; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 1

5.2 Feasibility of Installing Traffic Control Signals at the Intersection of Birchmount Road and Ranstone Gardens (Ward 37, Scarborough Centre)

The Works Committee considered a communication (June 14, 2006) from the Scarborough Community Council advising that the Community Council on June 13, 2006, considered a report (May 29, 2006) from the Acting Director, Transportation Services, Scarborough District, on the feasibility of installing traffic control signals at the intersection of Birchmount Road and Ranstone Gardens; and that the Community Council recommended that the Works Committee and City Council:

- (1) receive the report (May 29, 2006) from the Acting Director, Transportation Services, Scarborough District;

- (2) approve the installation of traffic signals at the intersection of Birchmount Road and Ranstone Gardens, such installation to be funded from the Transportation Services Capital Budget, Cycling Infrastructure Account CTP805-05; and
- (3) request the appropriate City officials to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any bills that may be required.

On motion by Councillor Palacio, the Works Committee recommended that City Council adopt the recommendations of the Scarborough Community Council contained in the communication (June 14, 2006) from the Community Council.

Report 5, Clause 2

5.3 Feasibility of Installing Traffic Control Signals at McNicoll Avenue and Innislawn Road (Ward 39, Scarborough Agincourt)

The Works Committee considered a communication (June 14, 2006) from the Scarborough Community Council advising that the Community Council on June 13, 2006, considered a report (May 25, 2006) from the Acting Director, Transportation Services, Scarborough District, on the feasibility of installing traffic control signals at McNicoll Avenue and Innislawn Road; and that the Community Council recommended that the Works Committee and City Council:

- (1) receive the report (May 25, 2006) from the Acting Director, Transportation Services, Scarborough District; and
- (2) adopt the following motion:

“**WHEREAS** McNicoll Avenue is being reconstructed due to and following the installation of a trunk water main; and

WHEREAS other developments are planned or are occurring in the vicinity of McNicoll Avenue; and

WHEREAS staff concur that infrastructure improvements should be bundled wherever feasible to proactively address deficiencies on McNicoll Avenue and reduce neighbourhood disruption;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) traffic control signals be installed at McNicoll Avenue and Innislawn Road coincident with the 2007 reconstruction of McNicoll Avenue; and
- (2) the existing pedestrian crossover (PXO) presently located approximately 70 meters to the east, at La Peer Boulevard, be removed coincident with the activation of the new traffic control signals;

AND BE IT FURTHER RESOLVED THAT 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.”

On motion by Councillor Del Grande, the Works Committee recommended that City Council adopt the recommendations of the Scarborough Community Council contained in the communication (June 14, 2006) from the Community Council.

Report 5, Clause 3

5.4 Noise Mitigation Policy for City Roads (All Wards)

The Works Committee considered a report (June 19, 2006) from the General Manager, Transportation Services and the Deputy City Manager and Chief Financial Officer respecting a proposed Noise Mitigation Policy for Roads under the jurisdiction of the City of Toronto in relation to City constructed noise barriers and developer constructed noise barriers and to create a reserve fund to accumulate funds from developers for the future maintenance of developer constructed noise barriers.

Recommendations:

It is recommended that:

- (1) the Noise Mitigation Policy for City Roads in Appendix A be adopted for use by the Transportation Services Division;
- (2) the General Manager, Transportation Services be authorized to include up to \$500,000.00 per year in the Capital Plan and specify which state of good repair projects will be deferred to accommodate the yearly estimated expenditure as part of the 2007 Capital Submission for Transportation Services;
- (3) conditional on the adoption of Recommendation (1), Council establish an obligatory reserve fund, called the “Noise Barrier Maintenance Reserve Fund”, to provide

maintenance and repair of noise barriers constructed by developers, and that this Reserve Fund be funded through charges to developers;

- (4) Municipal Code Chapter 227 (Administration of Reserves and Reserve Funds) be amended by adding the “Noise Barrier Maintenance Reserve Fund” to Schedule 13 – State of Good Repair Obligatory Reserve Funds;
- (5) this report be forwarded to the Policy and Finance Committee for consideration; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

On motion by Councillor Giambrone, the Works Committee referred back the report (June 19, 2006) from the General Manager, Transportation Services and the Deputy City Manager and Chief Financial Officer for submission during the 2008 budget process.

(General Manager, Transportation Services; Deputy City Manager and Chief Financial Officer; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 13(a)

5.5 RESCU (Road and Emergency Services Communications Unit) System Expansion (All Wards)

The Works Committee considered a report (June 19, 2006) from the General Manager, Transportation Services responding to the request of Council on April 25, 26 and 27, 2006, that higher priority be given to specific ITS strategies, including queue-end warnings on Allen Road and Black Creek Drive; providing information about a proposed Queue End Warning System for the Allen Road, additional RESCU (Road and Emergency Services Communications Unit) cameras and changeable message signs for Lake Shore Boulevard and the Gardiner Expressway; and requesting approval to establish a Memorandum of Understanding with the Ministry of Transportation – Ontario that would permit the City of Toronto’s Transportation Services Division to install, operate and procure joint use Intelligent Transportation Systems (ITS) equipment.

Recommendations:

It is recommended that:

- (1) Transportation Services Division staff be directed to complete a detailed design and issue a tender package for the construction of a Queue End Warning system on Allen Road, and additional RESCU cameras and changeable message signs for Lake Shore Boulevard and the Gardiner Expressway;
- (2) Transportation Services Division staff be directed to establish a Memorandum of Understanding between the City of Toronto and the Ministry of Transportation – Ontario to work together on ITS projects (including Queue End Warning Systems) to share knowledge and experience, jointly test and evaluate new technologies, share existing ITS equipment where applicable and jointly procure new ITS equipment when it is in the best interest of both parties;
- (3) Transportation Services Division staff be directed to evaluate the benefits of the Queue End Warning System on Allen Road and its applicability to other roadways within the City of Toronto including Black Creek Drive;
- (4) Transportation Services Division staff be directed to continue with efforts to integrate ITS systems with neighbouring municipalities by participating in the Greater Toronto Area and Hamilton (GTAH) ITS initiative; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

On motion by Councillor Giambrone, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 19, 2006) from the General Manager, Transportation Services.

Report 5, Clause 4

5.6 Human Factors Evaluation of Video Advertising Signs (All Wards)

The Works Committee considered a report (June 20, 2006) from the General Manager, Transportation Services providing an update on the results of additional monitoring of four test sites that were part of the 2003 “Traffic Safety Evaluation of Video Advertising Signs” study, as well as on a process to secure funding for future studies on the impact of video advertising signs on traffic safety that will be recommended in a future staff report to the Works Committee.

Recommendation:

It is recommended that this report be received for information only.

On motion by Councillor Del Grande, the Works Committee received the report from the General Manager, Transportation Services.

Report 5, Clause 13(b)

5.7 Construction of Housing in Laneways (All Wards) and Inventory of City Laneways and Level of Services Provided (All Wards) – Works Committee Report 3, Clause 21(d)

The Works Committee considered the following:

- (i) Communication (June 1, 2006) from the City Clerk advising that City Council on May 23, 24 and 25, 2006, referred Item (d), entitled “Inventory of City Laneways and Level of Services Provided (All Wards)”, contained in Clause 21 of Report 3 of the Works Committee, back to the Works Committee for further consideration; and noting that the Works Committee on May 3, 2006:
 - (1) requested the General Manager, Transportation Services to submit a Briefing Note to Members of the Works Committee and those Members of Council with public laneways in their Wards providing a detailed inventory of public laneways and the level of services provided to such laneways by Ward; and
 - (2) referred the communication (May 1, 2006) from Councillor Giambrone respecting the construction of houses in laneways to the General Manager, Transportation Services for consideration and report to the June 7, 2006, meeting of the Works Committee.

- (ii) Communication (June 7, 2006) from Councillor Cesar Palacio, Ward 17, Davenport respecting the statements in the report (April 11, 2006) from the General Manager, Transportation Services on the level of service for laneway cleaning and maintenance; and requesting that the appropriate City staff further investigate and report on the following motion:

“WHEREAS services provided by the City in laneways is provided on a complaint basis only whereby some public lanes have not been swept or cleaned and remain unsightly and unsanitary; and

WHEREAS because the narrow width and configuration of the bulk of public laneways precludes effective mechanized sweeping using conventional equipment; and

WHEREAS given considerable advancements in street sweeping technologies like the current “baby sweeper” that is utilized for the cleaning program in some parts of the City; and

WHEREAS the maintenance and cleanliness of transportation infrastructure, including laneways, is an essential part of the City’s “Clean and Beautiful” mandate;

THEREFORE BE IT RESOLVED THAT the General Manager of Transportation Services, in consultation with the General Manager of Solid Waste Management Services, report to the July Works Committee meeting on the availability and cost of compact sweepers for deployment in City laneways, on a City-wide basis, together with appropriate service level and equipment/resources requirements;

AND BE IT FURTHER RESOLVED THAT a Pilot Project be conducted in Ward 17 with the existing “baby sweeper” or any other efficient and cost-effective equipment.”

- (iii) Report (June 20, 2006) from the Executive Director, Technical Services responding to the request of the Works Committee on May 3, 2006, to report on a communication from Councillor Adam Giambrone on issues related to the construction of housing in laneways.

Recommendations:

It is recommended that:

- (1) the City not permit construction of housing on existing laneways, except in special circumstances where there are no adverse privacy, overlook, shadowing and engineering servicing implications; and
- (2) the City not permit construction of housing on proposed/future laneways.

On motion by Councillor Palacio, the Works Committee:

- (1) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 20, 2006) from the Executive Director, Technical Services;
- (2) received the communication (June 1, 2006) from the City Clerk; and
- (3) referred the communication (June 7, 2006) from Councillor Cesar Palacio to the General Manager, Transportation Services for consideration and report to the Works Committee in September 2006.

(General Manager, Transportation Services; Councillor Cesar Palacio, Ward 17, Davenport; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 5

5.8 Report on the Process Undertaken on Contract 05SD-06RD and Steps Taken to Improve Systems, Procedures and Accountability Related to Preparation of Tender Documents and Tendering Process (All Wards)

The Works Committee considered a report (June 19, 2006) from the Executive Director, Technical Services responding to the request of the Works Committee on October 11, 2005, to provide information on the process undertaken on Contract 05SD-06RD (TTC track reconstruction on St. Clair Avenue West from Tweedsmuir Avenue to Avenue Road) and the steps taken to improve systems, procedures and accountability related to the preparation of tender documents and tendering process.

Recommendation:

It is recommended that the report be received for information.

On motion by Councillor Carroll, the Works Committee received the report from the Executive Director, Technical Services.

Report 5, Clause 13(c)

5.9 Considerations for Amendments to the 2005 Flood Damages Grant Program (City-wide)

The Works Committee considered the following:

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- (i) Communication (June 16, 2006) from the City Clerk advising that City Council on June 14, 2006, adopted, as amended, Clause 15b of Report 2 of the Works Committee, entitled "Terms and Conditions of the 2005 Flood Damages Grant Program (City-wide), and, in so doing, referred motions by Councillor Watson, Councillor Shiner and Deputy Mayor Bussin to the Works Committee for consideration at its meeting on July 5, 2006, and requested the General Manager, Toronto Water to report to the Committee at that time.

- (ii) Report (June 29, 2006) from the General Manager, Toronto Water responding to the request of Council on June 14, 2006, to report on motions referred to the Works Committee respecting the Terms and Conditions of the 2005 Flood Damages Grant Program.

Recommendations:

It is recommended that:

- (1) the Voluntary Home Isolation Program be made available to homeowners impacted by the May 17, 2006 storm;

- (2) the General Manager, Toronto Water, incorporate a funding request for the expansion of the Voluntary Home Isolation Program City-wide as part of Toronto Water's forthcoming 2007 Operating Budget submission; and

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

The following persons addressed the Works Committee:

- Gery DiLeo;

- Victoria Dinnick;

- Deputy Mayor Sandra Bussin, Ward 32, Beaches-East York.

Councillor Del Grande moved that, in accordance with the Municipal Act, the Works Committee meet privately to ask questions of the Solicitor, as such questions may relate to the security of the property of the municipality.

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The Works Committee recessed at 3:20 p.m. to meet in camera.

Members Present:

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

The Works Committee adjourned its private meeting at 4:22 p.m., and immediately reconvened in public session with the members listed above in attendance.

The Works Committee recommended to the Policy and Finance Committee that:

- (i) City Council adopt the staff recommendations in the Recommendations Section of the report (June 29, 2006) from the General Manager, Toronto Water, subject to amending Recommendation (2) by deleting the word “Operating” and replacing it with the word “Capital”, so that the recommendations now read as follows:

“It is recommended that:

- (1) the Voluntary Home Isolation Program be made available to homeowners impacted by the May 17, 2006 storm;
- (2) the General Manager, Toronto Water, incorporate a funding request for the expansion of the Voluntary Home Isolation Program City-wide as part of Toronto Water’s forthcoming 2007 Capital Budget submission; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.”; and

(Motion by Councillor De Baeremaeker, on behalf of Deputy Mayor Bussin)

- (ii) within the allowance provided under the Voluntary Home Isolation Program, claimants be eligible to submit claims for any uninsured

losses wherein any residual funding remains within the allowance, up to the amount approved by Council on June 14, 2006, on a first come, first serve basis,

(Motion by Councillor De Baeremaeker, on behalf of Deputy Mayor Bussin, with amendment by Councillor Fletcher.)

Councillor Del Grande requested that he be recorded as having voted in the negative with respect to motion (ii) by Councillor De Baeremaeker, on behalf of Deputy Mayor Bussin, with amendment by Councillor Fletcher.

The Works Committee further requested the General Manager, Toronto Water to:

- (a) provide a Briefing Note to Members of Council prior to the meeting of City Council on July 25, 2006, on:
 - (i) the number of calls received by street, and a map of the streets by ward;
 - (ii) the locations that were attended by Toronto Water staff;
 - (iii) how many people qualified under the program;

and provide Councillor Fletcher with the e-versions of the photographs presented;

(Motion by Councillor Fletcher)

- (b) report to the September 11, 2006, meeting of the Works Committee on a preliminary assessment of options available to address surface flooding problems during extreme storm conditions for the area in Ward 32, which experienced flooding during the May 17, 2006, storm;

(Motion by Councillor Fletcher, on behalf of Deputy Mayor Bussin)

- (c) report early in 2007 on a comprehensive program to address significant natural disasters including:
 - emergency response;
 - communication strategy;

- mitigation measures; and
- options for a financial program that could be made available to residents to mitigate natural disaster impacts;

and further that, in the interim, consideration of any motions relating to significant weather events be deferred until such time as the report on the comprehensive program is submitted; and

(Motion by Councillor Carroll)

- (d) include in any advertising that homeowners find ways to clean sewer grates and drains of leaves and other materials during storms, and at other times.

(Motion by Councillor Fletcher)

On motion by Councillor Giambone that the recommendations of the Works Committee be forwarded to Council through the Policy and Finance Committee, **it was carried.**

The following motions were moved and subsequently withdrawn:

Motions by Councillor Fletcher:

That:

- (1) the deadline for applications be extended while further outreach is completed, and advise the public, through local newspapers, of the details of the program with respect to the May 17, 2006, flood; and
- (2) all eligible residents and business affected by the May 17, 2006 flood, receive the same level of compensation as approved by City Council on June 14, 2006, for those eligible residents affected by the August 2005 flood.

(Policy and Finance Committee; General Manager, Toronto Water; Mr. Gery DiLeo; Ms. Victoria Dinnick; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 13(d)

5.10 Development of a Revolving Loan Program to Support the Implementation of the City's Water Efficiency Plan (All Wards)

The Works Committee considered a report (June 20, 2006) from Deputy City Manager Fareed Amin, the City Solicitor, and the Deputy City Manager and Chief Financial Officer respecting the establishment of a Water Efficiency Loan Reserve Fund to provide funding for a revolving loan program in support of the implementation of the City's Water Efficiency Plan; indicating that the loan program would provide loans to the City's agencies, boards, commissions and divisions, as well as the Toronto school boards and the Toronto Community Housing Corporation for water efficiency projects.

Recommendations:

It is recommended that:

- (1) a revolving loan program for water efficiency projects be established as an initial pilot to gauge interest, program uptake and to test program design and criteria, and be available to City's agencies, boards, commissions and divisions, as well as the Toronto school boards and the Toronto Community Housing Corporation;
- (2) a Water Efficiency Loan Reserve Fund be established to provide funding for this revolving loan program to provide loans to the City's agencies, boards, commissions and divisions, as well as the Toronto school boards and the Toronto Community Housing Corporation;
- (3) Municipal Code Chapter 227 (Administration of Reserves and Reserve Funds) be amended by adding the "Water Efficiency Loan Reserve Fund" to Schedule '15' - Water Reserve Funds;
- (4) funding up to the amount of \$2 million be authorized to be drawn from the Water Capital Reserve Fund (XR6003) to establish this Water Efficiency Loan Reserve Fund to provide repayable loans to the City's agencies, boards, commissions and divisions as well as the Toronto school boards and the Toronto Community Housing Corporation, as outlined in Recommendation (1), for the implementation of water efficiency projects in order to help achieve the targets of water efficiency identified in the City's Water Efficiency Plan;

- (5) potential water efficiency projects from the City's agencies, boards, commissions and divisions be identified through the City's capital budget review process and, if approved for funding, program areas incorporate loan repayments directly into their operating budgets;
- (6) the Toronto School Boards and the Toronto Community Housing Corporation be notified that they can apply for loans for water efficiency projects directly to the General Manager of Toronto Water;
- (7) staff be directed to report back to the Works Committee prior to the 2008 Capital Budget Review on the uptake and success of the pilot revolving loan program, and to report on the feasibility of expanding the revolving loan program to other public sector organizations such as universities and hospitals, non-profits and the private sector where permissible;
- (8) authority be granted for the General Manager of Toronto Water, in consultation with the Deputy City Manager and Chief Financial Officer, to administer and recommend for approval to City Council loans under this program in accordance with criteria set out in Appendix A of this report; and
- (9) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council to give effect thereto.

On motion by Councillor Giambrone, the Works Committee recommended to the Policy and Finance Committee that:

- (i) City Council adopt the staff recommendations in the Recommendations Section of the report (June 20, 2006) from Deputy City Manager Fareed Amin, the City Solicitor, and the Deputy City Manager and Chief Financial Officer; and
- (ii) elected officials and/or Board members on the Toronto Community Housing Corporation, Boards of Education, and Agencies, Boards, Commissions, and Divisions be notified that their respective Boards can apply for loans for water efficiency projects directly to the General Manager, Toronto Water.

The following motion by Councillor Ainslie was moved and subsequently **withdrawn**:

“That the report be amended:

- (i) by striking out Recommendation (6) in the report of Deputy City Manager Fareed Amin, the City Solicitor and the Deputy City Manager and Chief Financial Officer, and renumbering the recommendations accordingly; and
- (ii) by adding the following new recommendations:
 - (a) each successful applicant in this program be charged an administrative fee equal to the cost of processing the loan; and
 - (b) the appropriate City staff be directed to ensure that the interest rate charged is not less than the cost of interest to the City.”

(Policy and Finance Committee – July 5, 2006)

Report 5, Clause 13(e)

5.11 Update on the Implementation of the Water Efficiency Program – 2005 (City-wide)

The Works Committee considered a report (June 20, 2006) from the General Manager, Toronto Water providing an update on the progress made during 2005 to advance the initiatives outlined in the Water Efficiency Plan and to make recommendations for additional activities during 2006.

Recommendations:

It is recommended that:

- (1) the Province of Ontario be requested to develop enabling legislation that restricts the sale and installation of any toilet in the Province to only ultra-low flush models (i.e., six litres or less);
- (2) the General Manager of Toronto Water and the General Manager of Parks, Forestry and Recreation be requested to prepare a report during the 2007 Operating and Capital Budget review process outlining the financial implications of implementing a

Water Conservation Program for Parks, Forestry and Recreation parks and facilities that incorporates capital and operating initiatives that will advance the achievement of the targets in the Water Efficiency Plan, such as installing water meters in all parks facilities to monitor water consumption and computer controlled irrigation systems; and

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, and that leave be granted for the introduction of any necessary bills in Council 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 (June 20, 2006) from the General Manager, Toronto Water, subject to deleting Recommendation (2) and replacing it with the following new Recommendation (2):

“(2) the General Manager, Toronto Water, in consultation with the General Manager, Parks, Forestry and Recreation, bring forward a report on how Parks, Forestry and Recreation can implement measures to reduce their use of water, including computer controlled irrigation systems, and on other initiatives that will advance the achievements of the targets within the Water Efficiency Plan.”

Report 5, Clause 7

5.12 Amendments to the Sewer Services Line Blockage Inspection Repair Program and Drain Grant Policy (All Wards)

The Works Committee considered a report (June 21, 2006) from the General Manager, Toronto Water responding to requests of the Works Committee and Council to review and recommend improvements to the current Sewer Service Line Blockage Inspection and Repair Program and Drain Grant Policy and to report on the feasibility and financial impact of amending the Drain Grant Policy to expand the qualification criteria to include all four-plex, five-plex, and six-plex residential properties.

Recommendations:

It is recommended that:

- (1) the inspection of sewer line blockages remains a first response activity by Toronto Water staff under the Sewer Service Line Blockage Inspection and Repair Program;
- (2) the Drain Grant Policy be improved by:

- (a) removing the requirement of the applicant to obtain three quotations for repairs;
- (b) providing grants only where licensed drain contractors undertake and perform the necessary repairs;
- (c) providing grants up to a total maximum lifetime grant amount of \$2,000.00 per property towards sewer service line repair work, including exterior work (foundation wall to property line), whether partial or full replacement, and internal work (within the building); and
- (d) updating the criteria for additional assistance to low income households to the following:
 - (i) below \$21,000.00 - 100 percent of the balance of the eligible repair costs;
 - (ii) \$21,000.00-\$27,000.00 - 50 percent of the balance of the eligible repair costs; and
 - (iii) \$27,000.00-\$35,000.00 - 25 percent of the balance of the eligible repair costs;
- (3) the Drain Grant Policy eligibility requirements continue to be limited to residences with three or less separate dwelling units;
- (4) appeals under the Drain Grant Policy will not be granted for situations where the applicant has been granted the maximum grant limit provided under the Drain Grant Policy; and
- (5) the appropriate City officials be authorized and directed to take the necessary actions 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 (June 21, 2006) from the General Manager, Toronto Water.

Report 5, Clause 8

5.13 Collaborative Research Funding for Development of Sludge Characterization Techniques for Optimizing Anaerobic Digestion (Wards 5, 29, 32 and 44)

The Works Committee considered a report (June 20, 2006) from the General Manager, Toronto Water respecting Phase II of the collaborative research project with the District of Columbia Water and Sewerage Authority to develop sludge characterization techniques and modeling in order to assess advanced sludge processing technologies.

Recommendations:

It is recommended that:

- (1) authority be granted to enter into an agreement with EnviroSim Associates Ltd. to partly fund phase II of a research project on anaerobic sludge digestion on terms and conditions satisfactory to the General Manager, Toronto Water, the Deputy City Manager and Chief Financial Officer and in a form satisfactory to the City Solicitor;
- (2) a project cost of \$85,000.00 net of GST be approved for the study from the approved 2006 Toronto Water Capital Budget Project Account CWW029, with 2006 cash flow of \$85,000.00 from WBS Element CWW029-03, Biosolids Studies; and
- (3) the appropriate City officials be directed and authorized to take the necessary action to give effect to this.

The following persons addressed the Works Committee:

- Maureen Reilly; and
- Deputy Mayor Sandra Bussin, Ward 32, Beaches-East York.

On motion by Councillor De Baeremaeker, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 20, 2006) from the General Manager, Toronto Water.

Report 5, Clause 9

5.14 Water Meter Replacement and Fixed Area Network (FAN) Automated Meter Reading Project – Status Update on Partnering with Toronto Hydro

The Works Committee considered the following:

- (i) Report (June 20, 2006) from the Treasurer and General Manager, Toronto Water providing an update on the status of the Water Meter Replacement and Fixed Area

Network (FAN) Automated Meter Reading project as it relates to partnering with Toronto Hydro.

Recommendation:

It is recommended that this report be received for information, and that a copy of this report be forwarded to the Administration Committee for information.

- (ii) Communication (July 5, 2006) from Ann Dembinski, President, Canadian Union of Public Employees, Local 79, expressing concerns regarding the Water Meter Replacement and Fixed Area Network (FAN) Automated Meter Reading Project.

The following persons addressed the Works Committee:

- Tim Maguire, Vice-President, Canadian Union of Public Employees, Local 79; and
- Councillor Frances Nunziata, Ward 11, York South-Weston.

The Works Committee:

- (1) amended the staff recommendation in the Recommendation Section of the report from the Treasurer and General Manager, Toronto Water by deleting the words “and that a copy of this report be forwarded to the Administration Committee for information”, and received the report for information;

(Motion by Councillor Giambrone)

- (2) requested the Treasurer and the General Manager, Toronto Water to involve the Canadian Union of Public Employees, Local 79 in discussions pertaining to the Water Meter Replacement and Fixed Area Network Automated Meter Reading Project prior to reporting to the Works Committee in September 2006; and further that the meeting dates with Local 79 be indicated in the report being submitted in September; and

(Motion by Councillor Giambrone)

- (3) the appropriate City staff be requested to give consideration to including the residents of Ward 11, north of St. Phillips Road, in the

pilot of the Water Meter Replacement and Fixed Area Network Automated Meter Reading Project.

(Motion by Councillor Giambrone, on behalf of Councillor Nunziata, which was carried unanimously on the following recorded vote:

FOR: Councillors Ainslie, Carroll, De Baeremaeker, Del Grande, Fletcher, Giambrone and Palacio - 7

AGAINST: - 0)

(General Manager, Toronto Water; Treasurer; Ann Dembinski, President, Canadian Union of Public Employees, Local 79; Councillor Frances Nunziata, Ward 11, York South-Weston; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 13(g)

5.15 Addition of New Materials to the Blue Box Program

The Works Committee considered a report (June 20, 2006) from the General Manager, Solid Waste Management Services respecting the addition of new materials to the Blue Box Program:

Recommendations:

It is recommended that:

- (1) spiral wound containers be added to the Blue Box program approximately 90 days after approval by Council; and
- (2) plastic film and polystyrene be added to the Blue Box program subject to implementation of a new container system that will provide residents with the necessary capacity for their recyclables.

Rod Muir, Waste Diversion Toronto, addressed the Works Committee.

On motion by Councillor De Baeremaeker, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 20, 2006) from the General

Manager, Solid Waste Management Services, **which was carried unanimously.**

Report 5, Clause 10

5.16 Impact of Council Decisions on Meeting Solid Waste Diversion Goals

The Works Committee considered a report (June 23, 2006) from the General Manager, Solid Waste Management Services respecting the impact of Council decisions on various solid waste diversion initiatives since June 2005.

Recommendation:

It is recommended that this report be received for information.

Rod Muir, Waste Diversion Toronto, addressed the Works Committee.

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

On motion by Councillor Carroll, the Works Committee received the report from the General Manager, Solid Waste Management Services, and directed that a copy be forwarded to the Budget Advisory Committee for information.

(Budget Advisory Committee; General Manager, Solid Waste Management Services; Mr. Rod Muir, Waste Diversion Toronto; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 13(h)

Councillor Carroll resumed the Chair.

5.17 Progress Report on Environmental Assessment of a Long-Term Residual Solid Waste Management System

The Works Committee considered the following:

- (i) Report (June 20, 2006) from the General Manager, Solid Waste Management Services providing an overview of the issues and timelines associated with the preparation of the City of Toronto's Environmental Assessment of a long-term residual solid waste management system.

Recommendation:

It is recommended that this report be received for information.

- (ii) Communication (July 4, 2006) from Philip A. Knox, Chair, Community Environmental Assessment Team, providing a summary of CEAT meetings, and supporting the report (June 20, 2006) from the General Manager, Solid Waste Management Services.

The Chair appointed Councillor Del Grande Acting Chair, and vacated the Chair.

On motion by Councillor Carroll, the Works Committee:

- (1) received the report from the (June 20, 2006) from the General Manager, Solid Waste Management Services; and
- (2) requested the General Manager, Solid Waste Management Services to include “CEAT” in the headings of future reports that relate or have reference to the Community Environmental Assessment process.

(General Manager, Solid Waste Management Services; Mr. Philip A. Knox, Chair, CEAT; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 13(i)

Councillor Carroll resumed the Chair.

Councillor Del Grande moved that, in accordance with the Municipal Act, the Works Committee meet privately to consider the following reports, in that the subject matters relate to litigation or potential litigation affecting the municipality:

- Minute 5.18 - “Proposed Litigation Arising Out of Defective Concrete Sidewalk Work (City-wide)”; and
- Minute 5.21 - “Contractual Issues With The Eucan Recycling/Litter Bin Contract”.

The Works Committee recessed at 7:32 p.m. to meet in camera.

Members Present:

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

The Works Committee adjourned its private meeting at 8:10 p.m., and immediately reconvened in public session with the members listed above in attendance.

5.18 Proposed Litigation Arising Out of Defective Concrete Sidewalk Work (City-wide)

The Works Committee considered a confidential report (June 21, 2006) from the City Solicitor respecting proposed litigation arising out of defective concrete sidewalk work (City-wide), such report to be considered in camera as the subject matter relates to litigation or potential litigation affecting the municipalities.

On motion by Councillor Del Grande, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (June 21, 2006) from the City Solicitor respecting Proposed Litigation Arising Out of Defective Concrete Sidewalk Work (City-wide), which was forwarded to Members of Council under separate cover; and further that, in accordance with the Municipal Act, discussions pertaining to this report be held in camera as the subject matter may relate to litigation or potential litigation affecting the municipality.

Report 5, Clause 12

5.19 Procurement of Iron Salts (Ferrous Chloride) Used for Removal of Phosphorus From Sewage at the Wastewater Treatment Plants (All Wards)

The Works Committee considered a report (June 19, 2006) from the General Manager, Toronto Water and the Director, Purchasing and Materials Management requesting authority to extend the current contract for Iron Salts from one year to five years, based upon

completion of a market place assessment and the results of Request for Quotation (RFQ) 6609-05-3478.

Recommendations:

It is recommended that:

- (1) Contract 47011628 be amended by increasing it by \$10,680,300.40 from \$1,891,974.00 to \$12,572,274.40 including all applicable taxes and charges for the supply of up to 15,500,000 kg of Iron Salt (ferrous chloride) for the period from August 1, 2006 to December 31, 2010; 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 to the Policy and Finance Committee that City Council adopt the staff recommendations in the Recommendations Section of the report (June 19, 2006) from the General Manager, Toronto Water and the Director, Purchasing and Materials Management, respecting Procurement of Iron Salts (Ferrous Chloride) Used for Removal of Phosphorus From Sewage at the Wastewater Treatment Plants (All Wards).

(Policy and Finance Committee – July 5, 2006)

Report 5, Clause 13(f)

5.20 Co-ordinated Street Furniture Program – Various Information Items (All Wards)

The Works Committee considered the following:

- (i) Report (June 27, 2006) from Deputy City Manager Fareed Amin responding to the request of the Works Committee to report, prior to the issuance of a Request for Proposals (RFP), on a number of information requests arising from consideration of the “Co-ordinated Street Furniture Program – Design and Policy Guidelines and Directions” staff report of April 18, 2006.

Recommendations:

It is recommended that:

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Wednesday, July 5, 2006

- (1) the general principles for the placement of street furniture as set out in the “Street Furniture Placement Guidelines, June 2006” draft document, Attachment A to this report, be endorsed and incorporated in “Vibrant Streets: Toronto’s Co-ordinated Street Furniture Program Design and Policy Guidelines”;
 - (2) the award of an honorarium in an amount of \$2,000.00 be authorized for each member of the design jury selected to evaluate the design elements of the street furniture proposals, to recognize the contributions of individuals participating in this important aspect of the project; and
 - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be necessary.
- (ii) Communication (July 4, 2006) from Councillor Paula Fletcher, Ward 30, Toronto-Danforth, submitting the following motion with respect to the removal of Eucan bins:
- “That all of the Eucan bins installed for the pilot project be removed by Eucan within one month of a request from the local Councillor; and, as such, would request that all Eucan bins be removed from Ward 30 streets by August 5, 2006.”
- (iii) Briefing Note (June 30, 2006) from Andrew Koropeski, Director, Toronto and East York District, Transportation Services, responding to the request of City Council on June 27, 28 and 29, 2006; to provide additional information pertaining to bench contracts; and submitting a table outlining permissions, maintenance and repair agreements and quantities for the existing bench contracts across the City of Toronto.

Jonathan Goldsbie, on behalf of the Toronto Public Space Committee, addressed the Works Committee.

The Works Committee recommended that:

- (i) City Council adopt the staff recommendations in the Recommendations Section of the report (June 27, 2006) from Deputy City Manager Fareed Amin, subject to amending Recommendation (1) by adding the words “in principle” after the word “endorsed”, so that the recommendations now read as follows:

“It is recommended that:

- (1) the general principles for the placement of street furniture as set out in the “Street Furniture Placement Guidelines, June 2006” draft document, Attachment A to this report, be endorsed in principle and incorporated in “Vibrant Streets: Toronto’s Co-ordinated Street Furniture Program Design and Policy Guidelines”;
- (2) the award of an honorarium in an amount of \$2,000.00 be authorized for each member of the design jury selected to evaluate the design elements of the street furniture proposals, to recognize the contributions of individuals participating in this important aspect of the project; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be necessary.”; and

(Motion by Councillor Carroll)

- (ii) the Design Jury consult with TABIA at any point in their deliberations.

(Motion by Councillor Fletcher)

The Works Committee further:

- (1) requested the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning to invite all of those who have attended public consultations, including TABIA, all BIAs, and City Committees, such as the Toronto Pedestrian Committee and the Disabilities Issues Committee, to attend a meeting or provide written comments, prior to the meeting of City Council on July 25, 26 and 27, 2006, to discuss the Street Furniture Placement Guidelines; and further to provide all of the above with a copy of the Street Furniture Placement Guidelines before the meeting;

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

FOR: Councillors Ainslie, Carroll, De Baeremaeker, Del Grande, Fletcher, Giambrone and Palacio - 7

AGAINST: - 0)

- (2) requested the General Manager, Solid Waste Management Services to notify all Members of Council that, in order to have the Eucan test bins removed from within their Wards, an official request must be made, in writing, to the General Manager; and

(Motion by Councillor Fletcher)

- (3) referred the communication (July 4, 2006) from Councillor Fletcher to the General Manager, Solid Waste Management Services, as the official request to have all Eucan bins removed from Ward 30 streets within 30 days.

(Motion by Councillor Fletcher)

(General Manager, Transportation Services; Chief Planner and Executive Director, City Planning; General Manager, Solid Waste Management Services; Mr. Jonathan Goldsbie; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 6

5.21 Contractual Issues With The Eucan Recycling/Litter Bin Contract

The Works Committee considered a confidential report (June 29, 2006) from the General Manager, Solid Waste Management Services respecting contractual issues with the Eucan Recycling/Litter Bin Contract, such report to be considered in camera as the subject relates to litigation or potential litigation.

On motion by Councillor Palacio, the Works Committee recommended that City Council adopt the staff recommendations in the Recommendations Section of the confidential report (June 29, 2006) from the General Manager, Solid Waste Management Services respecting Contractual Issues with the Eucan Recycling/Litter Bin Contract, which was forwarded to Members of Council under separate cover; and further that, in accordance with the Municipal Act, discussions pertaining to this report be held in camera as the

subject matter may relate to litigation or potential litigation affecting the municipality.

Report 5, Clause 11

5.22 Light Bulb Recycling in City Facilities and ABCs

The Works Committee considered a communication (July 4, 2006) from Councillor Paul Ainslie, Ward 41, Scarborough Rouge River, respecting light bulb recycling in City facilities and Agencies, Boards and Commissions; and recommending that:

- (1) City staff report back to the Works Committee as to the status and effectiveness of the light bulb recycling programs in place at City facilities and facilities operated by Toronto agencies, boards and commissions;
- (2) Solid Waste Management Services develop a corporate policy for the safe and efficient recycling of fluorescent light bulbs, metal halide light bulbs or other light bulbs that contain mercury or other potentially hazardous materials, such as mercury and other gases; and
- (3) staff report back with their findings and recommendations to the September 11, 2006, meeting of Works Committee.

On motion by Councillor Giambrone, the Works Committee referred the communication from Councillor Ainslie to the General Manager, Solid Waste Management Services for consideration and report to the Works Committee for its meeting on September 11, 2006.

(General Manager, Solid Waste Management Services; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 13(j)

5.23 Green Bins in Toronto Agencies, Boards, Commissions and Division Facilities

The Works Committee considered a communication (July 4, 2006) from Councillor Paul Ainslie, Ward 41, Scarborough Rouge River, respecting Green Bins in Toronto Agencies, Boards, Commissions and Division facilities; recommending that City staff report back to the next meeting of Works Committee as to the status of the Green Bin pilot projects currently in place at various City facilities, and further that this report include information on the feasibility of implementing the Green Bin program on a permanent basis in facilities operated by Toronto's Agencies, Boards, Commissions and Divisions.

On motion by Councillor Giambrone, the Works Committee referred the communication from Councillor Ainslie to the General Manager, Solid Waste Management Services for consideration and report to the Works Committee for its meeting on September 11, 2006.

(General Manager, Solid Waste Management Services; c. Deputy City Manager Fareed Amin – July 5, 2006)

Report 5, Clause 13(k)

The Works Committee adjourned its meeting at 8:11 p.m.

Chair