
Public Works and Infrastructure Committee

Meeting No.	20	Contact	Rosalind Dyers, Committee Administrator
Meeting Date	Wednesday, November 12, 2008	Phone	416-392-8018
Start Time	9:30 AM	E-mail	pwic@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Glenn De Baeremaeker

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Public Works and Infrastructure Committee

Meeting No.	20	Contact	Rosalind Dyers, Committee Administrator
Meeting Date	Wednesday, November 12, 2008	Phone	416-392-7033
Start Time	9:30 AM	E-mail	pwic@toronto.ca
Location	Committee Room 1, City Hall	Chair	Councillor Glenn De Baeremaeker

PW20.1	Amended			Ward: All
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Proposed Measures to Reduce In-Store Packaging Waste and Litter, Municipal Hazardous and Special Waste and Plastic Water Bottles

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

Plastic Bags

1. Council endorse the goal of a 70% reduction in the provision of plastic retail shopping bags, from a baseline of 2006 usage, to customers by the retail sector in the City of Toronto by 2012.
2. Commencing June 1, 2009, the City of Toronto:
 - a. require all retailers to accept the use of a reusable bag or container (as defined in Appendix A) for the transport of purchased items in lieu of plastic retail shopping bags;
 - b. require all retailers that offer or provide to customers plastic retail shopping bags (as defined in Appendix A) in a retail store in the City of Toronto to charge a minimum of \$0.05 for each plastic retail shopping bag requested, or taken, by the customer, or provide other alternatives at no charge to the customer; and
 - c. require all retailers who offer or provide plastic retail shopping bags to communicate the charge described in (a) to customers by:
 - i. prominent signage at the point of sale; and
 - ii. itemizing the charge on the transaction receipt (if one is issued).

3. Commencing June 1, 2010, the City of Toronto ban the sale or distribution of plastic retail shopping bags that are not compatible with the City of Toronto's recycling program (as described in Appendix A), including biodegradable or compostable plastic bags (as defined in Appendix A) and bags with metal grommets or other non-plastic fittings.
4. The General Manager of Solid Waste Management Services be directed to report annually to the Public Works and Infrastructure Committee on the source reduction of plastic retail shopping bags used by customers, using all available information, including relevant data voluntarily provided by the appropriate industry associations to the General Manager, and any recommended changes to the minimum amount charged by retailers for plastic retail shopping bags, to ensure progress towards the goal of 70% reduction in the use of plastic retail shopping bags by customers.
5. The General Manager of Solid Waste Management Services continue to consult with multiple stakeholders reflecting the types and sizes of businesses in the retail industry through the implementation of these recommendations.
6. If there are new funds generated from the sale of plastic retail shopping bags, the City supports the retailer reinvesting these funds in community or environmental initiatives, or utilizing them to mark down the selling price of re-usable bags. In addition, retailers be encouraged to identify where these funds are being re-invested for the awareness of the public.
7. The General Manager, Solid Waste Management Services, ensure that there is a reasonable consultative process with respect to plastic bags and plastic take-out food containers for the "mom and pop" shops who do not belong to an association.
8. In the event that the program fails to achieve the 70% reduction, as it relates to plastic bags, or appears to be failing to meet its goals, the General Manager of Solid Waste Management Services be authorized to recommend alternatives, including but not limited to a ban on plastic bags.

Plastic Take Out Food Containers:

9. The City of Toronto request food service retail representatives, food service trade associations and/or other food service stakeholders who currently use plastic take out food containers and operate in the City, to develop, by December 31, 2010, a reusable and/or refillable take out food container, or take out food service protocol that does not conflict with any regulation under the Health Protection and Promotion Act, which will allow customers to choose a reusable option for take-out food packaging.
10. The General Manager of Solid Waste Management Services be requested to report back to Council by January 1, 2011, on the progress of Part 9, above, and on the use of bans and/or financial tools on plastic take out food containers that may be appropriate at that time, the report to also include information as it pertains to food safety and cross-contamination risk of using customer supplied refillable containers

11. The City of Toronto ban the sale or distribution of plastic take-out food containers (as defined in Appendix C) that are not compatible with the City of Toronto Blue Bin program by February 28, 2011.
12. The General Manager of Solid Waste Management Services work with industry stakeholders to achieve a goal of having 50% of plastic takeout food containers used in Toronto, from a baseline of 2008 usage, compatible with the City of Toronto Blue Bin program by December 31, 2009.
13. The General Manager of Solid Waste Management Services be requested to report back to Council if the interim target of 50% compatibly is not achieved by December 31, 2009.
14. The General Manager of Solid Waste Management Services continue to consult with multiple stakeholders reflecting the types and sizes of businesses in the retail industry through the implementation of these recommendations.
15. The General Manager, Solid Waste Management Services, ensure that there is a reasonable consultative process with respect to plastic bags and plastic take-out food containers for the “mom and pop” shops who do not belong to an association.

Other Materials:

16. The General Manager of Solid Waste Management Services be authorized to report back with recommendations on additional in store packaging materials to be considered for similar packaging reduction policies.

Bottled Water:

17. The City of Toronto:
 - a. prohibit the sale or distribution of bottled water at Civic Centres immediately, with due regard for any current contracts related to the purchase or sale of bottled water;
 - b. authorize and direct appropriate staff from Solid Waste Management Services, Parks, Forestry and Recreation, Facilities and Real Estate, Purchasing and Materials Management, Toronto Public Health, Toronto Water and the bottled water industry, to work together to develop and implement a program that prohibits the sale and distribution of bottled water at all remaining City facilities by December 31, 2011; and
 - c. authorize appropriate staff to prohibit plastic water bottle sales at each City facility upon completion of improved access to tap water at all City facilities as water bottled sales are phased out, having due regard to existing contracts and unique public health and safety related situations and authorized special events in City facilities, by December 31, 2011.

Packaging Reduction Working Group:

18. The In-Store Packaging Working Group be reconstituted as a Packaging Reduction Working Group with two primary roles:
 - a. explore the options available to the City to reduce factory packaging (i.e., packaging applied at the point of manufacture or distribution) and report on the options explored to the Public Works and Infrastructure Committee; and
 - b. explore the options available for a program where customers could remove factory packaging at the point of purchase and leave the packaging at the retail location, and that the Working Group report back to Council on the feasibility of such a program.
19. Membership of the Packaging Reduction Working Group be modified to include factory packaging and retail representatives.

Batteries, Paint Cans and Light Bulbs:

20. Savings which accrue to the City of Toronto as a result of the Waste Diversion Ontario funding of Municipal Hazardous and Special Waste be reinvested in enhanced recovery programs for those materials such as regular scheduled collection days for apartments and increased Toxic Taxis for single family residences and options for a waste diversion collection plan for batteries (e.g. - household batteries) and all light bulbs (including compact Fluorescent Light Bulbs) with a request that the General Manager of Solid Waste Management Services submit a report to the April 8, 2009 meeting of the Public Works and Infrastructure Committee.

General

21. The City Solicitor be directed to submit the necessary bills to Council to implement the above motions adopted by City Council.
22. City Council receive, for information, the confidential attachment to the report dated October 31, 2008, from the City Solicitor (Item PW20.1a), and maintain the information in the attachment as confidential pursuant to solicitor client privilege.
23. The City Clerk be directed to circulate the Council Resolution and amended staff report to the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and the Regional Public Works Commissioners of Ontario.

Confidential Attachment 1 to the report (October 31, 2008) from the City Solicitor (PW20.1a), remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, as it contains advice that is subject to solicitor-client privilege.

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

Plastic Bags

1. Commencing June 1, 2009, the City of Toronto:
 - a. require all retailers that offer or provide to customers single-use plastic retail shopping bags (as defined in Appendix A) for the transport of purchased items at the point of sale in a retail store in the City to provide a minimum discount of \$0.10 for each single-use plastic retail shopping bag not used by the customer;
 - b. require all retailers who offer or provide single-use plastic retail shopping bags to communicate the discount to customers by:
 - i. prominent signage at the point of sale; and
 - ii. itemizing the discount on the transaction receipt (if one is issued);
 - c. require all retailers to accept the use of a reusable bag or container (as defined in Appendix A) for the transport of purchased items in lieu of single-use plastic retail shopping bags; and
 - d. ban the sale or distribution of single-use plastic retail shopping bags that are not compatible with the City of Toronto's recycling program (as described in Appendix A), including biodegradable or compostable plastic bags (as defined in Appendix A) and bags with metal grommets or other non-plastic fittings.

Plastic Take-Out Food Containers:

2. The City of Toronto request food service retail representatives, foodservice trade associations and/or other foodservice stakeholders who currently use plastic take-out food containers and operate in the City, to develop, by December 31, 2010, a reusable and/or refillable take-out food container, or take-out food service protocol, which will allow customers to choose a reusable option for take-out food packaging.
3. The General Manager of Solid Waste Management Services be requested to report back to Council, by January 1, 2011, on the progress of Recommendation 2 and on the use of bans and/or financial tools on plastic take-out food containers that may be appropriate at that time.
4. The City of Toronto ban the sale or distribution of plastic take-out food containers (as defined in Appendix C) that are not compatible with the City of Toronto Blue Bin program (as described in Appendix C), by December 31, 2009.

Other Materials:

5. The General Manager of Solid Waste Management Services be authorized to report back with recommendations on additional in-store packaging materials to be considered for similar packaging reduction policies.

Bottled Water:

6. The City of Toronto:
 - a. ban the sale or distribution of bottled water at Civic Centres immediately, with due regard for any current contracts related to the purchase or sale of bottled water;
 - b. authorize and direct appropriate staff from Solid Waste Management Services, Parks, Forestry and Recreation, Facilities and Real Estate, Purchasing and Materials Management, Toronto Public Health and Toronto Water, to work together to develop and implement a program that bans the sale and distribution of bottled water at all remaining City facilities, improve accessibility to tap water at all City facilities and take into account existing contracts related to bottled water at City facilities and unique public health and safety related situations, and that this implementation be completed by December 31, 2011.

Packaging Reduction Working Group:

7. The In-Store Packaging Working Group be reconstituted as a Packaging Reduction Working Group with two primary roles:
 - a. explore the options available to the City to reduce factory packaging (i.e., packaging applied at the point of manufacture or distribution) and report on the options explored to the Public Works and Infrastructure Committee; and
 - b. explore the options available for a program where customers could remove factory packaging at the point of purchase and leave the packaging at the retail location, and that the Working Group report back to Council on the feasibility of such a program.
8. Membership of the Packaging Reduction Working Group be modified to include factory packaging and retail representatives.

Batteries, Paint Cans and Light Bulbs:

9. Savings which accrue to the City of Toronto as a result of the Waste Diversion Ontario funding of Municipal Hazardous and Special Waste be reinvested in enhanced recovery programs for those materials such as regular scheduled collection days for apartments and increased Toxic Taxes for single family residences.
10. The City Solicitor be directed to submit the necessary bills to Council to implement the

above recommendations.

11. Council receive for information the confidential attachment to the report dated October 31, 2008, from the City Solicitor [Item PW20.1a.], and maintain the information in the attachment as confidential pursuant to solicitor-client privilege.

Committee Decision Advice and Other Information

The Public Works and Infrastructure Committee:

- A. referred back the following Recommendations 2 and 3 in the report (October 29, 2008) from the General Manager, Solid Waste Management Services, with a request that the General Manager meet with hot drink cup retailers in order to seek a resolution that achieves the source reduction and compatibility with recycling goals identified in the staff report:

“Hot Drink Cups

 2. Commencing June 1, 2009, the City of Toronto:
 - a. require all retailers who sell hot drinks in a single-use disposable Hot Drink Cup (as defined in Appendix B) to offer, and provide, a minimum discount of \$0.20 off of the price of a hot-drink in a single-use disposable Hot Drink Cup, to every customer that purchases a hot-drink in a reusable or refillable cup (as defined in Appendix B);
 - b. require all retailers who sell hot beverages in single-use disposable cups to communicate the discount to consumers by:
 - i. prominent signage at the point of purchase; and/or
 - ii. itemizing the discount on the transaction receipt (if one is issued);
 and
 - c. require retailers who sell hot drinks in single-use disposable cups to sell the hot drink in an equivalent quantity by filling a reusable mug in lieu of single-use disposable cups.
 3. The City of Toronto ban the sale or distribution of single-use hot drink cups (as defined in Appendix B) that are not compatible with the City of Toronto blue bin program (as described in Appendix B), by December 31, 2009.”;
- B. requested the General Manager, Solid Waste Management Services to investigate sources for the necessary funding from either the Waste Diversion Ontario Continuous Improvement Fund, or any other Provincial funding source, for the equipment outlined in the report, or any other feasible options; and
- C. requested the General Manager, Solid Waste Management Services to report, in conjunction with the Waste Diversion Act review, to the April 8, 2009 meeting of the

Public Works and Infrastructure Committee on the progress with respect to A. and B. above.

Origin

(October 29, 2008) Report from the General Manager, Solid Waste Management Services.

Summary

The City of Toronto has adopted the goal of diverting 70% of its waste from landfill and reducing the impact of litter on our local environment. As part of the Target 70 plan the City has taken a 3Rs approach to waste reduction and waste diversion. This report recommends incentives to reduce, reuse and ensure the recyclability of plastic retail shopping bags, hot drink cups and plastic take-out food containers. This report also includes measures to reduce or eliminate the use of plastic water bottles at City of Toronto facilities and recommends enhanced recovery programs for municipal hazardous and special waste.

Background Information (Committee)

2008-11-12-PW20.1-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17097.pdf>)

2008-11-12-PW20.1-Appendix A - Plastic Bags

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17098.pdf>)

2008-11-12-PW20.1-Appendix B - Hot Drink Cups

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17099.pdf>)

2008-11-12-PW20.1-Appendix C- Plastic Take-out Food Containers

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17100.pdf>)

2008-11-12-PW20.1-Appendix D - Other Policy Options Explored

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17101.pdf>)

Background Information (City Council)

Presentation material submitted by the General Manager, Solid Waste Management Services, on In-Store Packaging (PW20.1c)

(<http://www.toronto.ca/legdocs/mmis/2008/cc/bgrd/backgroundfile-17619.pdf>)

Communications (Committee)

(October 28, 2008) letter from Heather C. Ducharme, Chair, Toronto 3Rs Working Group and Elaine LePage, Vice-Chair, Toronto 3Rs Working Group (PW.Main.PW20.1.1)

(November 3, 2008) letter from Joe Cressy, Polaris Institute, and submitting a press release, headed "City of Toronto to Ban Bottled Water" (PW.Main.PW20.1.2)

(October 16, 2008) letter from Joseph P. Hruska, Environment and Plastics Industry Council, Municipal Relations (PW.Main.PW20.1.3)

(November 5, 2008) e-mail from Haley Waxberg, Knit-O-Matic (PW.New.PW20.1.4)

(November 5, 2008) e-mail from Jim Reynolds (PW.New.PW20.1.5)

(November 6, 2008) e-mail from Julie Graham (PW.New.PW20.1.6)

(November 7, 2008) e-mail from Harriet Simand and the Grade 6 Students, The York School, forwarding a Press Release dated November 6, 2008 (PW.New.PW20.1.7)

(November 7, 2008) e-mail from Claire Kerr and Zsolt Juhasz (PW.New.PW20.1.8)

(November 9, 2008) e-mail from Christopher Hafey (PW.New.PW20.1.9)

(November 7, 2008) letter from David K. Wong, Corporate Counsel, EPI Environmental

Technologies Inc. (PW.New.PW20.1.10)
(November 10, 2008) letter from Jim Goetz, Vice President - Provincial Affairs, Food & Consumer Products of Canada (PW.New.PW20.1.11)
(November 10, 2008) letter from Mike Clark, Vice President - Ontario, Coca-Cola Bottling Company (PW.New.PW20.1.12)
(November 10, 2008) letter from Justin Sherwood, President, Refreshment Canada (PW.New.PW20.1.13)
(November 7, 2008) letter from Representatives of the Canadian Council of Grocery Distributors (PW.New.PW20.1.14)
(November 10, 2008) e-mail from Stephan Borau (PW.New.PW20.1.15)
(November 11, 2008) e-mail from E. Winmill (PW.New.PW20.1.16)
(November 12, 2008) submission from Nick Javor, Tim Hortons (PW.New.PW20.1.17)
(November 12, 2008) submission from Dr. F. H. Edgecombe, Environment and Plastics Industry Council (PW.New.PW20.1.18)
(November 11, 2008) submission from Franz Hartmann, Executive Director, The Toronto Environmental Alliance (PW.New.PW20.1.19)
(November 12, 2008) submission from Bruce H. McNichol, President & CEO, Amhil Enterprises (PW.New.PW20.1.20)
(November 12, 2008) submission from John Staines, National Sales Manager, PACTIV (PW.New.PW20.1.21)
(November 12, 2008) submission from Sam Alavy, President & CEO, Canadian Polystyrene Recycling Alliance (PW.New.PW20.1.22)
(November 12, 2008) submission from Joesph P. Hruska, EPIC Municipal Relations, The Environment and Plastics Industry Council (PW.New.PW20.1.23)
(November 12, 2008) submission from John Challinor II, Director of Corporate Affairs, Nestle Waters Canada (PW.New.PW20.1.24)
(November 12, 2008) submission from Tom Ethans, Executive Director of Take Pride Winnipeg (PW.New.PW20.1.25)
(November 12, 2008) submission from Sajjad Ebrahim, President and Owner of Par-Pak Ltd. (PW.New.PW20.1.26)
(November 12, 2008) submission from Elaine LePage, Vice-Chair, Toronto 3Rs Working Group (PW.New.PW20.1.27)
(November 12, 2008) e-mail from Julie Wang (PW.New.PW20.1.28)
(November 12, 2008) e-mail from Cory Morningstar, President, Council of Canadians, London Chapter (PW.New.PW20.1.29)
(November 12, 2008) submission from Tom Wood, Year of Hope Campaign (PW.New.PW20.1.30)
(November 12, 2008) submission from Gerald Cooper (PW.New.PW20.1.31)
(November 12, 2008) submission from Diane J. Brisebois, Retail Council of Canada, filed by Rachel Kagan (PW.New.PW20.1.32)
(November 12, 2008) submission from Kim Mckinnon, Nick Jennery, President, and Dave Wilkes, Senior Vice President, Canadian Council of Grocery Distributors (PW.New.PW20.1.33)
(November 12, 2008) submission from Farrah Khan, Founder and Director, NaturoPack Sustainable Packaging Group (PW.New.PW20.1.34)
(November 12, 2008) submission from Michelle Saunders, Ontario Restaurant Hotel & Motel Association (PW.New.PW20.1.35)

Communications (City Council)

(November 17, 2008) e-mail from Haley Waxberg, Knit-O-Matic (CC.Main.PW20.1.36)
 (November 17, 2008) e-mail from Haley Waxberg, Knit-O-Matic (CC.Main.PW20.1.37)
 (November 17, 2008) e-mail from Howard Waxberg (CC.Main.PW20.1.38)
 (November 16, 2008) e-mail from Lianes Schwarz (CC.Main.PW20.1.39)
 (November 13, 2008) e-mail from Richard Longley (CC.Main.PW20.1.40)
 (November 14, 2008) letter from Garfield Mahood and Helen Kenney (CC.Main.PW20.1.41)
 (November 21, 2008) e-mail from Ciddy Maclaren (CC.Main.PW20.1.42)
 (November 24, 2008) e-mail from David K. Wong, Corporate Counsel, EPI Environmental Technologies Inc. (CC.Main.PW20.1.43)
 (November 28, 2008) letter from Justin Sherwood, President, Refreshments Canada (CC.New.PW20.1.44)

Speakers (Committee)

Harriet Simand, Susan Charron, and introduced David, Kailey, Zakariya and Sophie, Grade 6 Students from The York School
 Stephanie Jones, Vice-President, Ontario Canadian Restaurant and Food Services Association
 Justin Sherwood, President, Refreshments Canada
 Nick Javor, Tim Hortons - TDC Group, and showed a video clip (Submission Filed)
 Deanna Scotland, Vice-President, Food Service for Canada, Pepsi Bottling Group
 Joe Cressy, Campaign Coordinator, Polaris Institute
 Elaine LePage, Vice Chair, Toronto 3Rs Working Group (Submission Filed)
 Ray Ehrlich, Dart Container Corp.
 Joseph P. Hruska, Environment and Plastics Industry Council, Municipal Relations (Submission Filed)
 John B. Challinor, Director of Corporate Affairs, Nestle Waters Canada (Submission Filed)
 Michael Rosenberg
 Michelle Saunders, Ontario Restaurant Hotel and Motel Association (Submission Filed)
 Farhan Basharat, Tim Horton's Franchisee
 Colin Isaacs, CIAL Group
 Kim McKinnon, Vice-President Ontario, Canadian Council of Grocery Distributors (Submission Filed)
 Gerald Cooper (Submission Filed)
 Thomas Ethans, Executive Director, Take Pride Winnipeg (Submission Filed)
 Sam Alavy, President & CEO, Canadian Polystyrene Recycling Alliance (Submission Filed)
 Elizabeth Griswold, Executive Director, Canadian Bottled Water Association
 Rachel Kagan, National Manager, Government Relations (Environment), Retail Council of Canada (Submission Filed)
 Tom Wood, Year of Hope Campaign (Submission Filed)
 Sajjad Ebrahim, President, Par-Pak Ltd. (Submission Filed)
 Gary Sands, Vice President, Canadian Federation of Independent Grocers
 Michael Westcott, on behalf of the Canadian Convenience Stores Association
 John Staines, Manager, National Sales Pactiv Corporation Inc. (Submission Filed)
 Dr. Fred Edgecombe, Environment Plastics Industry Council (EPIC) (Submission Filed)
 Heather Marshall, and Franz Hartmann, Executive Director, The Toronto Environmental Alliance (Submission Filed)
 Bruce H. McNichol, Executive Vice President and COO, Amhil Enterprises (Submission Filed)

Farrah Khan, NaturoPack Sustainable Packaging Group (Submission Filed)
Stuart Trew, Regional Organizer (Ontario-Quebec), Council of Canadians
Ted Manziaris, Turtle Island Recycling
Rod Muir, representing Waste Diversion Toronto and Sierra Club Canada
Councillor Howard Moscoe, Ward 15, Eglinton-Lawrence
Councillor Peter Milczyn, Ward 5, Etobicoke-Lakeshore
Councillor Michael Walker, Ward 22, St. Paul's
Councillor Denzil Minnan-Wong, Ward 34, Don Valley East
Councillor Bill Saunderson, Ward 13, Parkdale-High Park
Councillor Frank Di Giorgio, Ward 12, York South-Weston
Councillor Gord Perks, Ward 14, Parkdale-High Park
Councillor Case Ootes, Ward 29, Toronto-Danforth
Councillor Janet Davis, Ward 31, Beaches-East York
Councillor Adam Vaughan, Ward 20, Trinity Spadina
Councillor Karen Stintz, Ward 16, Eglinton-Lawrence

1a In-Store Packaging

Confidential Attachment - The receiving of advice that is subject to solicitor-client privilege

Origin

(October 31, 2008) Report from the City Solicitor.

Summary

The confidential attachment sets out legal issues associated with the recommendations contained in the report dated October 29, 2008 from the General Manager, Solid Waste Management Services, entitled "Proposed Measures to Reduce In-Store Packaging Waste and Litter, Municipal Hazardous and Special Waste and Plastic Water Bottles."

The information contained in the attachment is confidential based on solicitor-client privilege and should remain confidential.

Background Information (Committee)

2008-11-12-PW20.1a-Staff Report from City Solicitor
(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17102.pdf>)

1b Requesting a Ban of Water Bottle Sales on City Property

Origin

(November 10, 2008) Letter from the Executive Committee

Summary

The Executive Committee on November 10, 2008, referred the Member Motion (September 30, 2008) by Councillor Del Grande, seconded by Councillor Di Giorgio, entitled "Requesting a Ban of Water Bottle Sales on City Property", to the Public Works and Infrastructure Committee for consideration at its meeting scheduled to be held on November 12, 2008, when the Public Works and Infrastructure Committee gives consideration to the report (October 29, 2008) from the General Manager, Solid Waste Management Services, entitled "Proposed Measures to Reduce In-Store Packaging Waste and Litter, Municipal Hazardous and Special Waste and Plastic Water Bottles".

Background Information (Committee)

2008-11-12-PW20.1b-Letter from Executive Committee-EX26.39

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17334.pdf>)

2008-11-12-PW20.1b-Attachment - EX26.39

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17335.pdf>)

PW20.2	Adopted			Ward: All
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Amendments to Processing Fees Due to LCBO Deposit Return Program**City Council Decision**

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council approve the increase in 2008 fees for single stream recycling processing with Metro Municipal Recycling Services Inc. and Canada Fibers Ltd. as follows:
 - a. for single stream recycling processing with Metro Municipal Recycling Services Inc. by \$5.46 per tonne from the current fee of \$64.91 to \$70.37 per tonne retroactive to January 1, 2008; and
 - b. increase the single stream recycling processing fees with Canada Fibers Ltd. by \$4.12 per tonne from the current fee of \$68.90 to \$73.02 per tonne retroactive to January 1, 2008.

2. City Council approve the increase in 2007 fees for single stream recycling processing with Metro Municipal Recycling Services Inc. and Canada Fibers Ltd. as follows:
 - a. the 2007 single stream recycling processing fee at Metro Municipal Recycling Services Inc. during the period of March 2007 to December 2007 be increased \$5.46 per tonne from \$63.95 to \$69.41 per tonne with retroactive compensation for a total of \$450,990.54; and
 - b. the 2007 single stream recycling processing fee at Canada Fibers Ltd. during the period of March 2007 to December 2007 be increased \$4.12 per tonne from

\$67.59 to \$71.71 per tonne with retroactive compensation for a total of \$248,720.28.

3. City Council authorize the General Manager, Solid Waste Management Services, to enter into any necessary amending agreements with both Metro Municipal Recycling Services Inc. and Canada Fibers Ltd., on terms and conditions satisfactory to the General Manager, Solid Waste Management Services, to reflect Parts 1 and 2, and in a form satisfactory to the City Solicitor.
4. City Council direct the General Manager of Solid Waste Management Services to request that the Ontario Minister of the Environment take immediate steps to reinstate the LCBO as a Waste Diversion Ontario Blue Box Plan steward for all wine and spirit containers captured and processed through municipal blue box waste recycling systems.

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. Council approve the increase in 2008 fees for single stream recycling processing with Metro Municipal Recycling Services Inc. and Canada Fibers Ltd. as follows:
 - a. for single stream recycling processing with Metro Municipal Recycling Services Inc. by \$5.46 per tonne from the current fee of \$64.91 to \$70.37 per tonne retroactive to January 1, 2008; and
 - b. increase the single stream recycling processing fees with Canada Fibers Ltd. by \$4.12 per tonne from the current fee of \$68.90 to \$73.02 per tonne retroactive to January 1, 2008.
2. Council approve the increase in 2007 fees for single stream recycling processing with Metro Municipal Recycling Services Inc. and Canada Fibers Ltd. as follows:
 - a. the 2007 single stream recycling processing fee at Metro Municipal Recycling Services Inc. during the period of March 2007 to December 2007 be increased \$5.46 per tonne from \$63.95 to \$69.41 per tonne with retroactive compensation for a total of \$450,990.54; and
 - b. the 2007 single stream recycling processing fee at Canada Fibers Ltd. during the period of March 2007 to December 2007 be increased \$4.12 per tonne from \$67.59 to \$71.71 per tonne with retroactive compensation for a total of \$248,720.28.
3. Council authorize the General Manager, Solid Waste Management Services to enter into any necessary amending agreements with both Metro Municipal Recycling Services Inc. and Canada Fibers Ltd., on terms and conditions satisfactory to the General Manager, Solid Waste Management Services to reflect Recommendations 1 and 2 and

in a form satisfactory to the City Solicitor.

4. Council direct the General Manager of Solid Waste Management Services to request that the Ontario Minister of the Environment take immediate steps to reinstate the LCBO as a Waste Diversion Ontario Blue Box Plan steward for all wine and spirit containers captured and processed through municipal blue box waste recycling systems.

Origin

(October 29, 2008) Report from the General Manager, Solid Waste Management Services.

Summary

The purpose of this report is to request authority to amend the single stream recycling processing fees with Metro Municipal Recycling Services Inc. and Canada Fibers Ltd. to account for the impact on the processing operations caused by the decrease in the mixed broken glass tonnage resulting from the implementation of LCBO deposit return program by the Province of Ontario which became effective February 2007.

Background Information (Committee)

2008-11-12-PW20.2-Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17103.pdf>

PW20.3	Amended			Ward: All
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Negotiated Settlement with EcoMedia Direct Incorporated over Damaged Litter Bins

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council adopt the confidential instructions to staff in Attachment 1.
2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, if any settlement is finalized.
3. With respect to future street furniture agreements, staff take whatever measures may be necessary to ensure that the City is not exposed to this type of litigation.

Confidential Attachment 1 to the report (October 28, 2008) from the General Manager, Transportation Services and the General Manager, Solid Waste Management Services, remains confidential at this time, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. The confidential information and recommendations contained in Confidential Attachment 1 will be made public if any settlement is finalized.

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. City Council authorize the public release of the confidential information and recommendations in Attachment 1, if any settlement is finalized.

Origin

(October 28, 2008) Report from the General Manager, Transportation Services and the General Manager, Solid Waste Management Services.

Summary

The purpose of this report is to advise on the results of negotiations with EcoMedia Direct Incorporated over damages incurred to litter bins placed on City streets and to receive direction in that regard as described in Attachment 1 – Confidential Information.

Background Information (Committee)

2008-11-12-PW20.3-Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17104.pdf>

Speakers (Committee)

Jonathan Goldsbie, Campaign Coordinator, Toronto Public Space Committee

PW20.6	Adopted			Ward: All
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Toronto Bicycle Station User Fees

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council approve amendments to the Toronto Municipal Code, Chapter 441, to establish the following Bicycle Station fees, including GST, effective January 1, 2009:
 - a. Registration Fee of \$25.00;
 - b. 1-Day Parking Fee of \$2.00;
 - c. 1-Month Parking Plan Fee of \$20.00;
 - d. 4-Month Parking Plan Fee of \$60.00;

- e. Access Card Replacement Fee of \$25.00; and
 - f. Overstay Fee of \$10.00 per day to a maximum of \$90.00 for bicycle left parked longer than 48 consecutive hours.
2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. City Council approve amendments to the Toronto Municipal Code, Chapter 441, to establish the following Bicycle Station fees, including GST, effective January 1, 2009:
 - A. Registration Fee of \$25.00;
 - B. 1-Day Parking Fee of \$2.00;
 - C. 1-Month Parking Plan Fee of \$20.00;
 - D. 4-Month Parking Plan Fee of \$60.00;
 - E. Access Card Replacement Fee of \$25.00; and
 - F. Overstay Fee of \$10.00 per day to a maximum of \$90.00 for bicycle left parked longer than 48 consecutive hours.
2. City Council authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

Committee Decision Advice and Other Information

The Public Works and Infrastructure Committee held a public meeting on November 12, 2008, and notice of the proposed amendments to the Toronto Municipal Code Chapter 441, Fees and Charges, was posted on the City's web site for a minimum of 5 days.

Origin

(October 27, 2008) Report from the General Manager, Transportation Services.

Summary

The purpose of this report is to obtain authority to amend the Toronto Municipal Code, Chapter 441, to establish Bicycle Station user fees. In response to the Toronto Bike Plan (Recommendation 9-3) and the Sustainable Transportation Initiatives: Short Term Proposals report (Recommendation 3a), both approved by City Council, the Transportation Services Division, City Planning Division and Facilities and Real Estate Division have worked together to design and construct Toronto's first Bicycle Station at Union Station. The Bicycle Station is currently under construction and will be open to the public in Spring 2009, providing 180 secure bicycle parking spaces and change room facilities, as well as office space for administrative staff. The operation of the Bicycle Station will be partially funded through user fees, including a one-time registration fee and a variety of parking plan options for cyclists. The user fees recommended in this report are based on comparable fee structures for successful

Bicycle Stations in Chicago, Seattle and Long Beach, California.

Background Information (Committee)

2008-11-12-PW20.6-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17107.pdf>)

PW20.9	Adopted			Ward: 43, 44
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Traffic Control Signal Study - Morningside Avenue and Tams Road

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council approve the installation of traffic control signals at the intersection of Morningside Avenue and Tams Road.
2. City Council amend the appropriate by-law(s) accordingly.
3. City Council receive the report (August 6, 2008) from the Director, Transportation Services, Scarborough District.

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. City Council approve the installation of traffic control signals at the intersection of Morningside Avenue and Tams Road.
2. City Council amend the appropriate by-law(s) accordingly.
3. City Council receive the report (August 6, 2008) from the Director, Transportation Services, Scarborough District.

Origin

(October 8, 2008) Letter from Scarborough Community Council.

Summary

Advising that Scarborough Community Council on October 7, 2008, considered a report (August 6, 2008) from the Director, Transportation Services, Scarborough District, on the feasibility of the installation of traffic control signals at Morningside Avenue and Tams Road.

Background Information (Committee)

2008-11-12-PW20.9-Letter from Scarborough Community Council
(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17111.pdf>)
2008-11-12-PW20.9-Staff Report-SC19-4
(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17112.pdf>)
2008-11-12-PW20.9-Map.SC19.4-Morningside and Tams
(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17131.pdf>)

Communications (Committee)

(November 10, 2008) letter from Zenaida M. Salvador, on behalf Lakeview Homes' residents (PW.New.PW20.9.1)
(November 12, 2008) e-mail from Mark M. Cottrill, on behalf of Scarborough Gates residents (PW.New.PW20.9.2)

9a Installation of Traffic Control Signal at the Intersection of Morningside Avenue and Tams Road

Origin

(November 10, 2008) Letter from Councillor Paul Ainslie.

Summary

On behalf of my residents who reside in the Lakeview/Tams communities, I urge the Public Works and Infrastructure Committee to support as I do Item PW 20.9: Installation Traffic Control Signal at the intersection of Morningside Avenue and Tams Road.

The item supported by the local residents through a signed petition as well as unanimously supported by the Scarborough Community Council at the October 7, 2008 meeting is warranted on many levels. Firstly the community was built abutting Morningside Avenue to the west, a busy thoroughway which stretches across many wards as well as being located just south of Highway 401; where vehicles exit at accelerated speeds. A Toronto public transit stop is situated on the east side of Morningside Avenue and Tams Road, forcing public transit users to illegally cross at this busy intersection. Vehicles exiting Tams Road are forced to make left turns onto Morningside Avenue, where the Highway 401 exit ramp prohibits a clear view for oncoming traffic; many accidents have occurred because of this visual impairment.

There is also the possibility of a reuse facility at this location as Solid Waste is in early discussions to build the facility at the Morningside Yard, which is at Tams and Morningside, and which will increase traffic at this site.

Background Information (Committee)

2008-11-12-PW20.9a-Letter from Councillor Ainslie
(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17354.pdf>)

PW20.10	Referred			Ward: All
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Confirmation of Levels of Service for Roadway and Roadside Winter Maintenance Services

City Council Decision

City Council on December 1, 2 and 3, 2008, referred Item PW20.10 back to the Public Works and Infrastructure Committee for further consideration at its meeting on January 6, 2009.

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. City Council confirm the current levels of service for winter maintenance respecting roadway de-icing, roadway snow ploughing, driveway windrow opening, sidewalk snow clearing, and snow removal as outlined in Appendices 1, 3, 5 and 6 as continuing to be appropriate.
2. City Council direct the General Manager, Transportation Services to undertake a pilot project for the removal of windrows at entrances to public laneways at a cost of approximately \$50,000, subject to additional funding being allocated to the 2009 Transportation Services Operating Budget.
3. Recommendation 2 of this report be referred to Budget Committee for consideration as part of the 2009 Operating Budget Process.

Origin

(October 29, 2008) Report from the General Manager, Transportation Services.

Summary

The purpose of this report is to respond to Standing Committee motions received in recent months for reports from the General Manager, Transportation Services on various matters related to winter maintenance. This report describes existing levels of service for the City's winter operations and seeks to confirm, or adjust as directed, these levels of service for roadway de-icing, roadway ploughing, driveway windrow opening, sidewalk snow clearing, and snow removal.

Background Information (Committee)

2008-11-12-PW20.10-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17113.pdf>)

2008-11-12-PW20.10-Appendix 1

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17114.pdf>)

2008-11-12-PW20.10-Appendix 2

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17115.pdf>)

2008-11-12-PW20.10-Appendix 3

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17116.pdf>)

2008-11-12-PW20.10-Appendix 4

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17117.pdf>)

2008-11-12-PW20.10-Appendix 5

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17118.pdf>)

2008-11-12-PW20.10-Appendix 6

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17119.pdf>)

Communications (Committee)

(November 12, 2008) submission from Hamish Wilson (PW.New.PW20.10.1)

PW20.11	Adopted			Ward: All
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Amendment to Municipal Code Chapter 851 - Water Supply

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. Municipal Code Chapter 851 – Water Supply be amended in accordance with the draft amending By-law attached as “Appendix – A” to this report.
2. The appropriate City officials and staff be authorized and directed to take the necessary action to give effect to these recommendations and staff be authorized to introduce the necessary bills to Council to implement the above recommendations.

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. Municipal Code Chapter 851 – Water Supply be amended in accordance with the draft amending By-law attached as “Appendix – A” to this report.
2. The appropriate City officials and staff be authorized and directed to take the necessary action to give effect to these recommendations and that staff be authorized to introduce the necessary bills to Council to implement the above recommendations.

Origin

(October 29, 2008) Report from the General Manager, Toronto Water.

Summary

The purpose of this report is to amend various sections of Toronto Municipal Code Chapter 851 (Water Supply By-law) to amend certain clauses related to the backflow prevention program and fire systems, add new industry sectors requiring premise isolation backflow prevention

devices, add millwrights to persons authorized to conduct backflow prevention device tests and amend other clauses relating to various items including definitions and administration, hydrant flow testing, water meter chambers, connections for industrial buildings, references to the Chief Building Official, and construction water.

Background Information (Committee)

2008-11-12-PW20.11-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17120.pdf>)

2008-11-12-PW20.11-Appendix A

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17121.pdf>)

PW20.12	Adopted			Ward: All
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Assignment of Transportation Component of the Wastewater System By-Products Transportation and Disposal Agreement

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council consent to the assignment of the transportation component of the current Wastewater System By-Products Transportation and Disposal Agreement between the City of Toronto (the "City"), Republic Services Inc., Republic Services of Canada Inc. and Republic Services of Michigan I, LLC, doing business as Carleton Farms (collectively the "Republic Services Companies") and Wilson Logistics Inc., now known as Trailcon Leasing Inc. ("Trailcon"), dated May 2003 (the "Current Agreement") from Trailcon to 1416720 Ontario Limited operating as Triwaste Services (2002) ("Triwaste") subject to the following conditions:
 - a. the Current Agreement shall be assumed by Triwaste; and
 - b. Trailcon, Triwaste and the Republic Services Companies shall enter into an assignment and assumption agreement on such terms as may be required by the General Manager, Toronto Water including, without limitation, any necessary financial security and any release of Trailcon's existing obligations under the Current Agreement, and in a form satisfactory to the City Solicitor.
2. Subject to the adoption of Part 1, the General Manager, Toronto Water, be authorized on behalf of the City to negotiate, enter into and execute the assignment and assumption agreement referred to in Part 1.b., above, and any necessary related agreement which may be required to either facilitate or give effect to the assignment on such terms as may be required by the General Manager, Toronto Water, and in a form satisfactory to the City Solicitor.
3. The confidential information contained within Attachment 1 remain confidential and is not to be disclosed as Attachment 1 contains third party commercial, financial and

economic information that is subject to the mandatory confidentiality provisions of MFIPPA.

Confidential Attachment 1 to the report (October 24, 2008) from the General Manager, Toronto Water, remains confidential in its entirety, in accordance with the provisions of the City of Toronto Act, 2006, and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), as it contains information related to the security of the property of the municipality or local board and third party commercial, financial and economic information that is subject to the mandatory confidentiality provisions of MFIPPA.

Confidential Attachment - The security of the property of the municipality or local board

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. City Council consent to the assignment of the transportation component of the current Wastewater System By-Products Transportation and Disposal Agreement between the City of Toronto (the "City"), Republic Services Inc., Republic Services of Canada Inc. and Republic Services of Michigan I, LLC, doing business as Carleton Farms (collectively the "Republic Services Companies") and Wilson Logistics Inc., now known as Trailcon Leasing Inc. ("Trailcon"), dated May 2003 (the "Current Agreement") from Trailcon to 1416720 Ontario Limited operating as Triwaste Services (2002) ("Triwaste") subject to the following conditions:
 - a. the Current Agreement shall be assumed by Triwaste; and
 - b. Trailcon, Triwaste and the Republic Services Companies shall enter into an assignment and assumption agreement on such terms as may be required by the General Manager, Toronto Water including, without limitation, any necessary financial security and any release of Trailcon's existing obligations under the Current Agreement, and in a form satisfactory to the City Solicitor.
2. Subject to the adoption of Recommendation 1, the General Manager, Toronto Water be authorized on behalf of the City to negotiate, enter into and execute the assignment and assumption agreement referred to in Recommendation 1.b. above and any necessary related agreement which may be required to either facilitate or give effect to the assignment on such terms as may be required by the General Manager, Toronto Water and in a form satisfactory to the City Solicitor.
3. The confidential information contained within Attachment 1 remain confidential and is not to be disclosed as Attachment 1 contains third party commercial, financial and economic information that is subject to the mandatory confidentiality provisions of MFIPPA.

Origin

(October 24, 2008) Report from the General Manager, Toronto Water.

Summary

This report recommends that City Council consent to the assignment of the transportation component of the current Wastewater System By-Products Transportation and Disposal Agreement (the “Current Agreement”), from Trailcon Leasing Inc., formerly Wilson Logistics Inc. (“Trailcon”) to 1416720 Ontario Limited operating as Triwaste Services (2002) (“Triwaste”) and that authority be delegated to the General Manager, Toronto Water to negotiate and execute the related assignment and assumption agreement.

Background Information (Committee)

2008-11-12-PW20.12-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17123.pdf>)

PW20.13	Amended			Ward: All
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Community Program for Stormwater Management Grant Approvals**City Council Decision**

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council approve the following projects for funding in the amount of \$98,179.00, net of GST, including a 10 percent administrative fee for Toronto and Region Conservation Authority (TRCA) under the Community Program for Stormwater Management:
 - a. Out of the Frying Pan and into the Shade – Toronto District Catholic School Board - \$25,000.00;
 - b. Lower Central Don and Taylor Creek Restoration Project – Friends of the Don East - \$25,000.00;
 - c. Rainwater Harvest for Greenroof Irrigation – Mountain Equipment Coop - \$9,604.00;
 - d. Transforming Gardens – Garden Green - \$4,650.00; and
 - e. Butterfly Garden – Toronto District School Board - \$25,000.00.
2. The General Manager, Toronto Water, complete a review of the Community Program for Stormwater Management and report to the Public Works and Infrastructure Committee, in April 2009, on any recommended changes to the application process and evaluation criteria used to assess submissions, including a review of limits placed on funding project management or staff costs associated with delivering projects devoted to advancing the requirements of the Wet Weather Flow Management Plan.

3. The appropriate City officials be authorized and directed to take the necessary action to take effect thereto.



Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. City Council approve the following projects for funding in the amount of \$98,179, net of GST, including a 10% administrative fee for Toronto and Region Conservation Authority (TRCA) under the Community Program for Stormwater Management:
 - a. Out of the Frying Pan and into the Shade – Toronto District Catholic School Board - \$25,000;
 - b. Lower Central Don and Taylor Creek Restoration Project – Friends of the Don East - \$25,000;
 - c. Rainwater Harvest for Greenroof Irrigation – Mountain Equipment Coop - \$9,604;
 - d. Transforming Gardens – Garden Green - \$4,650; and
 - e. Butterfly Garden – Toronto District School Board - \$25,000.
2. The appropriate City Officials be authorized and directed to take the necessary action to take effect thereto.

Origin

(October 28, 2008) Report from the General Manager, Toronto Water.

Summary

This report recommends approval of grants to community organizations to carry out stormwater management projects that were submitted to the Community Program for Stormwater Management for the October 10, 2008, application deadline.

Background Information (Committee)

2008-11-12-PW20.13-Staff Report
<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17122.pdf>

PW20.14	Adopted			Ward: 28
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Sole Source Request for Professional Engineering Services - Scott Street Sewage Pumping Station Rehabilitation

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motion:

1. City Council authorize the General Manager of Toronto Water to enter into a Sole Source agreement, in a form satisfactory to the City Solicitor, with Associated Engineering (Ont.) Ltd. in the total amount of \$767,740.00 net of GST, including disbursements and contingency as follows:
 - a. for design phase engineering services consisting of field investigation, preliminary design, and detailed design, in an amount not to exceed \$398,300.00 net of GST, including provisional allowances and disbursements;
 - b. for construction phase engineering services consisting of construction administration, project management, site services during testing and commissioning, record documentation, and resident site inspection in an amount not to exceed \$330,065.00 net of GST including provisional allowances and disbursements; and
 - c. for post construction services, covering warranty inspection and reporting during the two years of the guaranteed maintenance period in an amount not to exceed \$39,375.00 net of GST including disbursements.

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. City Council authorize the General Manager of Toronto Water to enter into a Sole Source agreement, in a form satisfactory to the City Solicitor, with Associated Engineering (Ont.) Ltd. in the total amount of \$767,740.00 net of GST, including disbursements and contingency as follows:
 - a. for design phase engineering services consisting of field investigation, preliminary design, and detailed design, in an amount not to exceed \$398,300.00 net of GST, including provisional allowances and disbursements;
 - b. for construction phase engineering services consisting of construction administration, project management, site services during testing and commissioning, record documentation, and resident site inspection in an amount not to exceed \$330,065.00 net of GST including provisional allowances and disbursements; and
 - c. for post construction services, covering warranty inspection and reporting during the two years of the guaranteed maintenance period in an amount not to exceed \$39,375.00 net of GST including disbursements.

Origin

(October 28, 2008) Report from the General Manager, Toronto Water and the Acting Director, Purchasing and Materials Management.

Summary

The purpose of this report is to seek authority to enter into a sole source agreement with Associated Engineering (Ont.) Ltd., for design and construction supervision services for the rehabilitation of the Scott Street Sewage Pumping Station to minimize construction interference in the downtown corridor and prevent future disruption to the streetscape following the scheduled reopening of the Sony Centre in 2010.

Background Information (Committee)

2008-11-12-PW20.14-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17124.pdf>)

PW20.20	Adopted			Ward: 28
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Consent to Assignment of Agreement - Toronto Community Housing Corporation - Community Energy Distribution Systems - Regent Park Revitalization and Moss Park

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council consent to the Assignment of the Municipal Access Agreement (January 1, 2007) with Toronto Community Housing Corporation (TCHC) to the Joint Venture between TCHC and the party outlined in Confidential Attachment 1 to this report, on such terms and conditions as may be required by the General Manager, Transportation Services, and the City Solicitor and in such form as required by the City Solicitor in order to protect the interests of the City.
2. City Council require that the consent granted in Part 1, above, be subject to TCHC and the Assignee entering into an Assignment/Consent Agreement on terms and conditions satisfactory to the City Solicitor, including any amendments to the Municipal Access Agreement as may be required by the General Manager and the City Solicitor to address the calculation and payment of annual encroachment fees based on the amount of \$14.37 (2008 amount) per linear metre required as a result of the Assignment.
3. Confidential Attachment 1 be released publicly upon the Toronto Community Housing Corporation finalizing its business arrangement with the joint venture partner and execution of the Assignment/Consent Agreement with the City of Toronto.

Confidential Attachment 1 to the report (November 6, 2008) from the General Manager, Transportation Services, remains confidential at this time, in accordance with the provisions of

the City of Toronto Act, 2006, as it contains information related to the security of the property of the municipality or local board. Confidential Attachment 1 will be released publicly upon the Toronto Community Housing Corporation finalizing its business arrangement with the joint venture partner and execution of the Assignment/Consent Agreement with the City of Toronto.

Confidential Attachment - The security of the property of the municipality or local board

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. City Council consent to the Assignment of the Municipal Access Agreement (January 1, 2007) with Toronto Community Housing Corporation (TCHC) to the Joint Venture between TCHC and the party outlined in Confidential Attachment 1 to this report, on such terms and conditions as may be required by the General Manager, Transportation Services and the City Solicitor and in such form as required by the City Solicitor in order to protect the interests of the City.
2. City Council require that the consent granted in Recommendation 1 above be subject to the TCHC and the Assignee entering into an Assignment/Consent Agreement on terms and conditions satisfactory to the City Solicitor, including any amendments to the Municipal Access Agreement as may be required by the General Manager and the City Solicitor to address the calculation and payment of annual encroachment fees based on the amount of \$14.37 (2008 amount) per linear metre required as a result of the Assignment.
3. Confidential Attachment 1 be released publicly upon the Toronto Community Housing Corporation finalizing its business arrangement with the joint venture partner and execution of the Assignment/Consent Agreement with the City of Toronto.

Origin

(November 6, 2008) Report from the General Manager, Transportation Services.

Summary

The Toronto Community Housing Corporation (TCHC) is seeking Council's consent to assign its existing Municipal Access Agreement (MAA) for a community energy system in the Regent Park Revitalization Project to a joint venture in which TCHC would be the majority partner.

The MAA contemplates the possibility of assignment of the Agreement at some point during the term and contains provisions for such action, subject to the consent of the City, which shall not be unreasonably withheld or delayed. The Assignee will be responsible to carry out all obligations under the MAA.

Presently, the MAA as approved by Council does not require the payment of any fee to the City in the nature of a land-based license or lease fee, provided that any revenues generated are wholly dedicated to the purposes and objects of the TCHC. The Assignee will therefore be

subject to the City's standard annual encroachment fees (\$14.73 per linear metre in 2008) to the extent of the interest in the system granted by the TCHC to its private sector partner as identified in Confidential Attachment 1.

Background Information (Committee)

2008-11-12-PW20.20-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17355.pdf>)

PW20.21	Amended			Ward: 37, 38, 43, 44
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2008 Bikeway Network Program - Phase 5 Installation of Bicycle Lanes

City Council Decision

City Council on December 1, 2 and 3, 2008, adopted the following motions:

1. City Council approve the installation of bicycle lanes on both sides of Lawrence Avenue East, from Victoria Park Avenue to Rouge Hills Drive, conditional upon acceptance of the final design by Toronto Transit Commission staff, failing which the recommended design shall be brought to the Public Works and Infrastructure Committee for final approval prior to acceptance, such report, if necessary, to be submitted within six months.
2. City Council authorize the General Manager, Transportation Services, to develop and implement the detailed design for the Lawrence Avenue East bicycle lanes, consistent with the Lawrence Avenue Study and the Lawrence Avenue Streetscape Plan, including amendments to traffic and parking regulations, in consultation with the Ward Councillors and Toronto Transit Commission (TTC) staff.
3. The bicycle lanes in Ward 43 be installed at the time of road resurfacing.
4. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto, including the introduction of all necessary bills.

Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. City Council approve the installation of bicycle lanes on both sides of Lawrence Avenue East, from Victoria Park Avenue to Rouge Hills Drive.
2. City Council authorize the General Manager, Transportation Services to develop and implement the detailed design for the Lawrence Avenue East bicycle lanes, consistent with the Lawrence Avenue Study and the Lawrence Avenue Streetscape Plan, including

amendments to traffic and parking regulations, in consultation with the Ward Councillors and T.T.C. staff.

3. The bicycle lanes in Ward 43 be installed at the time of road resurfacing.
4. City Council authorize and direct appropriate City officials to take the necessary action to give effect thereto, including the introduction of all necessary bills.

Origin

(November 7, 2008) Report from the General Manager, Transportation Services.

Summary

This is the fifth report to obtain approval for installing bicycle lanes as part of the Toronto Bike Plan – 2008 Bikeway Network Program. This report recommends that bicycle lanes be installed on both sides of Lawrence Avenue East, from Victoria Park Avenue to Rouge Hills Drive. Bicycle lanes on both sides of this 16.1 km section of Lawrence Avenue will add 32.2 km to the Bikeway Network and will increase the total length of bicycle lanes approved by City Council in 2008 to 102.2 km. This will increase the total length of the approved bicycle lanes to 249 km.

The final section of the 2008 Bikeway Network Program represents a significant east-west bikeway on Lawrence Avenue East crossing the entire Scarborough District. There are several design and operational issues which need to be addressed during the detailed design process. It is recommended that the General Manager, Transportation Services, be authorized to develop and implement the detailed design and introduce amendments to traffic and parking regulations as necessary, in consultation with the Ward Councillors and T.T.C. staff.

Background Information (Committee)

2008-11-12-PW20.21-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17350.pdf>)

2008-11-12-PW20.21-Drawing 421P0119

(<http://www.toronto.ca/legdocs/mmis/2008/pw/bgrd/backgroundfile-17351.pdf>)

Submitted Wednesday, November 12, 2008

Councillor Glenn De Baeremaeker, Chair, Public Works and Infrastructure Committee