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## Public Works and Infrastructure Committee

<b>Meeting No.</b>	22	<b>Contact</b>	Candy Davidovits, Committee Administrator
<b>Meeting Date</b>	Tuesday, February 3, 2009	<b>Phone</b>	416-392-8032
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	<a href="mailto:pwic@toronto.ca">pwic@toronto.ca</a>
<b>Location</b>	Committee Room 1, City Hall	<b>Chair</b>	Councillor Glenn De Baeremaeker

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Item		Page
PW22.1	Amendments to the Municipal Code Chapter 441 - Fees and Charges, Chapter 849 - Water and Sewage Services and Utility Bill and Chapter 681 - Sewers (Ward: All)	1
PW22.2	Changes to the Administration of the Industrial Water Rate (Block 2) and Amendments to Municipal Code Chapter 849 (Ward: All)	3
PW22.3	Delegation of Authority to Procure Beneficial Use and Disposal Services for Biosolids (Ward: All)	4

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<b>Location</b>	Committee Room 1, City Hall	<b>Chair</b>	Councillor Glenn De Baeremaeker

PW22.1	ACTION			Ward: All
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### **Amendments to the Municipal Code Chapter 441 - Fees and Charges, Chapter 849 - Water and Sewage Services and Utility Bill and Chapter 681 – Sewers**

#### **Public Notice**

#### **Committee Recommendations**

The Public Works and Infrastructure Committee recommends that:

1. Municipal Code Chapter 849 - Water and Sewage Services and Utility Bill, ARTICLE I – Rebates, and Article II – Rates, be amended in accordance with the draft amending By-law attached as Appendix “A” to this Report.
2. Municipal Code Chapter 441 – Fees and Charges, Appendix A, Waste Collection and Disposal Fees and Water and Sewer Usage Rates, Schedule 4, Wastewater, be amended in accordance with the draft amending By-law attached as Appendix “B” to this Report.
3. Municipal Code Chapter 681 – Sewers, be amended in accordance with the draft amending By-law attached as Appendix “C” to this Report.
4. Authority be granted to the City Solicitor to introduce any necessary Bills required to implement these recommendations, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and General Manager, Toronto Water.
5. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

## **Decision Advice and Other Information**

The Public Works and Infrastructure Committee held a public meeting on Tuesday, February 3, 2009, respecting the Amendments to the Municipal Code Chapter 441 - Fees and Charges, Chapter 849 - Water and Sewage Services and Utility Bill, and Chapter 681 – Sewers and, in accordance with the City of Toronto Municipal Code, notice of the public meeting was posted on the City’s website for a minimum of 21 days.

## **Origin**

(January 16, 2009) Report from General Manager, Toronto Water

## **Summary**

This report recommends several Municipal Code amendments to update various clauses applicable to Toronto Water operations. Specifically addressed within the report are fees established to equitably address current discrepancies in costs charged for the discharge of non-City supplied water to the sanitary sewers when compared to the cost paid by all other users of the sewer system.

The report also rectifies an administrative oversight by incorporating into the appropriate Municipal Code Chapters a fee for minor industrial waste or other appropriate sanitary sewer discharges; the eligibility requirements under the sewer surcharge rebate program related to the industrial use of water; and to update a definition under Municipal Code Chapter 681 - Sewers.

To promote water conservation the need for a Sanitary Sewer Service Discharge Agreement as defined under the Municipal Code Chapter 681 - Sewers will be eliminated when non-City water is used for flushing within washroom facilities.

## **Background Information**

pw22.1-Amendments to the Municipal Code Chapter 441-Staff Report  
(<http://www.toronto.ca/legdocs/mmis/2009/pw/bgrd/backgroundfile-18619.pdf>)

pw22.1-Appendix A - List of Proposed Chapter 849 Changes  
(<http://www.toronto.ca/legdocs/mmis/2009/pw/bgrd/backgroundfile-18620.pdf>)

pw22.1-Appendix B - List of Proposed Chapter 441 Changes  
(<http://www.toronto.ca/legdocs/mmis/2009/pw/bgrd/backgroundfile-18621.pdf>)

pw22.1-Appendix C - Proposed Chapter 681 Changes  
(<http://www.toronto.ca/legdocs/mmis/2009/pw/bgrd/backgroundfile-18622.pdf>)

PW22.2	ACTION			Ward: All
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## **Changes to the Administration of the Industrial Water Rate (Block 2) and Amendments to Municipal Code Chapter 849**

### **Committee Recommendations**

The Public Works and Infrastructure Committee recommends that:

1. Municipal Code Chapter 849 - Water and Sewage Services and Utility Bill, be amended in accordance with the draft amending By-law attached as Appendix "A" to this Report.
2. Authority be granted to the City Solicitor to introduce any necessary Bills required to implement Recommendation 1 above, subject to any necessary refinements, including stylistic, format and organization, as may be identified by the City Solicitor and the General Manager, Toronto Water.
3. The appropriate City officials be authorized and directed to take the necessary actions to give effect thereto.

### **Origin**

(January 21, 2009) Report from General Manager, Toronto Water

### **Summary**

The purpose of this report is to recommend to Council proposed by-law amendments to the eligibility criteria for the Block 2 water and wastewater industrial process-use service rate (the "Block 2 Rate") to achieve the following: (i) to provide a mechanism to allow a customer to return to the Block 2 Rate after rectification of a non-compliance with the City's Sewer Use By-law; (ii) to permit the City to receive Water Conservation Plans from customers at any time; (iii) to provide a mechanism to allow a customer who fails to submit an acceptable annual Water Conservation Plan Progress Report to return to the Block 2 Rate once the progress report is submitted and approved; and (iv) to remove from the Block 2 Rate a customer who has failed to implement its Water Conservation Plan and to permit the return to the Block 2 Rate only when the customer has implemented the approved Water Conservation Plan to the satisfaction of the General Manager, Toronto Water and submits a Water Conservation Plan progress report showing that implementation.

This report also responds to City Council's directive from its meeting of December 1, 2 and 3, 2008 in response to the report entitled: *Protecting Water Quality and Preventing Pollution - Assessing the Effectiveness of the City's Sewer Use By-law*, requesting that Toronto Water review all participants receiving the Block 2 Rate to ensure they are adhering to the conditions required to receive this reduced rate. This review has been completed and only those industrial participants who have complied with the conditions are receiving the Block 2 Rate. Any industrial participants, (i.e. companies having one or more water accounts with the City), that failed to meet the necessary conditions, including remaining in compliance with the City's Sewer Use By-law, have been returned to the higher Block 1 rate.

## Background Information

pw22.2-Changes to the Administration of the Industrial Water Rate-Staff Report

(<http://www.toronto.ca/legdocs/mmis/2009/pw/bgrd/backgroundfile-18623.pdf>)

pw22.2-Attachment A - Amending By-law for Municipal Code Chapter 849

(<http://www.toronto.ca/legdocs/mmis/2009/pw/bgrd/backgroundfile-18624.pdf>)

PW22.3	ACTION			Ward: All
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## Delegation of Authority to Procure Beneficial Use and Disposal Services for Biosolids

### Committee Recommendations

The Public Works and Infrastructure Committee recommends that:

1. The General Manager, Toronto Water, be authorized to procure additional beneficial use and landfill disposal services for biosolids from the Ashbridges Bay Treatment Plant on a sole source basis and on such terms and conditions as he considers appropriate until such time as Council has considered and approved a Biosolids Management Master Plan.
2. Subject to the adoption of the recommendation in (1) above, the General Manager, Toronto Water, be authorized to execute one or more contracts and/or agreements on terms and conditions satisfactory to him and in a form satisfactory to the City Solicitor.
3. In the event that the General Manager, Toronto Water, identifies disposal services in the United States and wishes to contract with a United States disposal site operator for such services, he be authorized to proceed to arrange the necessary due diligence reviews, including physical/geologic setting, compliance history, facility design, spill/release/incident history, operational concerns, financial status, and waste acceptance procedures, and if the results are acceptable to the General Manager, Toronto Water, and the Deputy City Manager, enter into and execute such agreements on terms and conditions satisfactory to them and in a form satisfactory to the City Solicitor.
4. Staff report back to Council on the outcome of steps taken pursuant to these recommendations.
5. Confidential Attachment 1 to the report (January 20, 2009) from the City Solicitor be received, for information, and that it remain confidential in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege.

### Origin

(January 20, 2009) Report from General Manager, Toronto Water

## **Summary**

The purpose of this report is to seek delegated authority to procure beneficial use and/or disposal services on a sole source basis for biosolids from the Ashbridges Bay Treatment Plant (“ABTP”). In addition, this report provides a status update on the biosolids management emergency measures taken by the City resulting from Republic Services no longer accepting biosolids at its Carleton Farms landfill facility in Michigan. The last status update was provided to City Council at its meeting on September 26 and 27, 2007.

Since 2006, staff have put in place various contracts to manage and dispose of biosolids generated at the ABTP. These contracts vary in length and provide the City a variety of beneficial use and disposal options. However, some of these contracts have now expired. In addition, the commissioning of the Pelletizer Facility which was to have been completed in late 2007, has encountered difficulties resulting in the need to dispose of biosolids that would otherwise have been processed by the Pelletizer.

To ensure the ABTP continues to operate in compliance with its Certificate of Approval and all other environmental legislation and regulations, staff recommend the continued diversification of the biosolids management program by seeking out additional service providers until long term recommendations anticipated as part of the Biosolids Master Plan can be considered and approved by City Council.

## **Background Information**

pw22.3-Delegation of Authority to Procure Beneficial Use and Disposal Services for Biosolids-  
Staff Report  
(<http://www.toronto.ca/legdocs/mmis/2009/pw/bgrd/backgroundfile-18625.pdf>)

## **Communications**

(February 3, 2009) e-mail from Maureen Reilly, Sludge Watch (PW.New.PW22.3.1)

## **Speakers**

Maureen Reilly, Sludge Watch

## **3a Delegation of Authority to Procure Beneficial Use and Disposal Services for Biosolids**

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

## **Origin**

(January 20, 2009) Report from City Solicitor

## **Summary**

The confidential attachment sets out legal issues associated with the recommendations contained in the report dated January 20, 2009 from the General Manager, Toronto Water, entitled “Delegation of Authority to Procure Beneficial Use and Disposal Services for Biosolids”.

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

## **Background Information**

pw22.3a-Delegation of Authority to Procure Beneficial Use and Disposal Services for Biosolids-Staff Report  
(<http://www.toronto.ca/legdocs/mmis/2009/pw/bgrd/backgroundfile-18626.pdf>)

*Submitted Tuesday, February 3, 2009*

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