Public Works and Infrastructure Committee

Meeting No. 25
Meeting Date Wednesday, June 3, 2009
Start Time 9:30 AM
Location Committee Room 1, City Hall

Contact Candy Davidovits, Committee Administrator
Phone 416-392-8032
E-mail pwic@toronto.ca
Chair Councillor Glenn De Baeremaeker

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Declarations of Interest under the Municipal Conflict of Interest Act.

Confirmation of Minutes – May 5, 2009

Speakers/Presentations – A complete list will be distributed at the meeting

Communications/Reports

Residential Units Above Commercial Premises and Revisions to Particular Solid Waste Management Rates

*Statutory - City of Toronto Act, 2006*

**Origin**
(May 20, 2009) Report from General Manager, Solid Waste Management Services

**Recommendations**
The General Manager, Solid Waste Management Services, recommends that:

1. City Council authorize the General Manager, Solid Waste Management Services, to expand organics collection, where possible, to all residential units above commercial premises.

2. City Council approve the solid waste rates set out in the attached Table 1 for all residential units above commercial premises, beginning November 1, 2009.

3. City Council approve the solid waste rate for non-bulk multi-unit residential buildings, who receive a more frequent (weekly or twice weekly) curbside collection service and that exclusively use curbside extra large bins for collection as set out in the attached Table 2.

4. The approved rates in recommendation 3 begin immediately upon Council approval.

5. Property owners with commercial tenants currently enrolled in the Yellow Bag Program and receiving curbside collection be permitted to participate in the City’s volume-based rate bin collection system in lieu of the yellow bag program and be subject to the solid waste rates as set out in attached Table 1, beginning November 1, 2009.

**Summary**
This report sets out Solid Waste Management Services plan to introduce and establish the solid waste rate structure to Residential Units Above Commercial (RUAC) establishments.

This report also requests authority to amend the solid waste rate for non-bulk multi-unit residential units that receive weekly or twice weekly curbside collection by use of only extra large bins for collection.
Financial Impact
There will be no material financial impact on the 2009 Operating Budget for Solid Waste Management Services as a result of implementing the recommended policy in this report. RUAC customers are part of the overall customer base assumed in the determination of the overall 2009 solid waste rate structure. As well, non-bulk multi-unit customers are already paying solid waste fees through the purchase of yellow tags. It is expected that incremental actual revenue in the amount of approximately $200,000.00-$250,000.00 will be generated in 2009 after currently budgeted fees for RUAC customers are implemented.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Background Information
PW25.1- Residential Units Above Commercial Premises and Revisions to Particular Solid Waste Management Rates-Staff Report
PW25.1-Attachment - Table 1 and Table 2

PW25.2 ACTION Ward: All
Municipal Access Agreement for Telecommunication Installations - DAScom Inc.

Origin
(May 19, 2009) Report from General Manager, Transportation Services

Recommendations
The General Manager, Transportation Services, recommends that:

1. City Council approve entering into a Municipal Access Agreement with DAScom Inc. to authorize the construction, installation, maintenance and operation of a telecommunications network comprising a distributed antenna system on existing utility poles, fibre optic cables, conduit and ancillary plant in the City of Toronto public highways, generally under the terms and conditions as set out in this report and such other terms and conditions as may be satisfactory to the City Solicitor and General Manager, Transportation Services; and

2. City Council direct that the agreement specifically include the following requirements:
   a. that DAScom agrees that it will at all times ensure that the network is constructed, operated and maintained in accordance with:
      i. Industry Canada’s CPC-2-0-3 (“Radio Communication and Broadcasting Antennae Systems”, June 2007);
ii. the City of Toronto Telecommunications Tower and Antennae Protocol (as amended by City Council in January 2009); and

iii. the City of Toronto “Prudent Avoidance” Policy, respecting acceptable levels of radio frequency (RF) exposure (endorsed by City Council March, 2008); and

b. that DAScom Inc. shall also be required to consult with City Planning Urban Design Division staff and Transportation Services Public Realm Section staff, with respect to developing design aesthetics for any proposed pole attachments which are satisfactory to the City’s Director of Urban Design and Transportation Services Director of Public Realm.

Summary
This report seeks Council approval to enter into an Agreement with DAScom Inc., to enable this telecommunications firm to install and maintain a “distributed antenna system” including small antenna and related equipment mounted on existing utility poles, fibre optic cables, conduit and ancillary plant in City of Toronto streets pursuant to the terms and conditions negotiated to address City interests.

Financial Impact
Entering into the proposed Municipal Access Agreement will not result in any direct financial costs to the City. The applicant will be responsible for any costs incurred by the City due to construction, installation, maintenance and operation of its plant in City streets in accordance with the City’s usual permitting process.

Background Information
PW25.2-Municipal Access Agreement for Telecommunication Installations - DAScom Inc.- Staff Report

PW25.3 ACTION Ward: All

Municipal Access Agreement for Telecommunication Installations – Atria Networks L.P.

Origin
(May 13, 2009) Report from General Manager, Transportation Services

Recommendations
The General Manager, Transportation Services, recommends that:

1. City Council approve entering into a Municipal Access Agreement with Atria Networks L.P. to authorize the construction, installation, maintenance and operation of a telecommunications network comprising fibre optic cables, conduit and ancillary plant
in the City of Toronto public highways, generally under the terms and conditions as set out in this report and such other terms and conditions as may be satisfactory to the City Solicitor and General Manager, Transportation Services.

Summary
This report seeks Council approval to enter into an Agreement with Atria Networks L.P., to enable this telecommunications firm to install and maintain fibre optic cables, conduit and ancillary plant in City of Toronto streets pursuant to the terms and conditions negotiated to address City interests.

Financial Impact
Entering into the proposed Municipal Access Agreement will not result in any direct financial costs to the City. The applicant will be responsible for any costs incurred by the City due to construction, installation, maintenance and operation of its plant in City streets in accordance with the City’s usual permitting process.

Background Information
PW25.3-Municipal Access Agreement for Telecommunication Installations - Atria Networks L.P.-Staff Report

PW25.4 ACTION Ward: 18
Introduction of Pay-and-Display Parking - Local Streets Intersecting Dundas Street West, between Dovercourt Road and Lansdowne Avenue

Origin
(May 20, 2009) Report from General Manager, Transportations Services

Recommendations
The General Manager, Transportation Services, recommends that the Public Works and Infrastructure Committee:

1. Recommend adoption of this proposal in principle and the regulatory amendments listed in Appendix “A” and “B” of this report outlining the changes required to the parking regulations on the specific sections of Coolmine Road, Rusholme Road, Lisgar Street, Rusholme Drive, Beaconsfield Avenue, Gladstone Avenue, Sheridan Avenue, Brock Avenue, Marguereta Street, and St. Clarens Avenue listed in the attached appendices.

2. Refer this matter to Toronto and East York Community Council for approval.

3. Subject to approval by Toronto and East York Community Council of the regulatory amendments listed in Appendix “A” and “B” of this report, direct the City Clerk to provide public notice in the local print media of the intent to adjust the permit parking regulations on the section of the streets within Permit Parking Areas 2, 3J and 3K outlined in the attached appendices.
Summary
Transportation Services is reporting to the Public Works and Infrastructure Committee, at the request of City Council, on a proposal from Councillor Adam Giambrone to introduce parking machine/meter parking on the commercial flankage of each local street intersecting with Dundas Street West, between Dovercourt Road and Lansdowne Avenue. The intent is to enhance parking opportunity for patrons of local businesses on Dundas Street West.

Parking is allowed on the local streets but used predominantly by permit parkers resulting in low turnover. Adoption of the proposal will remove these areas from the area permit parking allotment. A pay-control mechanism will be installed that is expected to promote parking turnover, enhancing a more equitable use of the parking areas. A total of 51 parking spaces are impacted by this proposal.

Financial Impact
Funding is available in the 2009 Operating Budget for Transportation Services (for signage) and in the 2009 Operating Budget for Toronto Parking Authority (for 13 pay & display machines) in the following accounts:

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The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Background Information

(Referred from City Council on April 29 and 30, 2009 - 2008.TE20.65)

4a Parking Regulations - Dundas Street West, Dovercourt Road to Sterling Road - One Year Review

Summary
City Council on April 29 and 30, 2009, adopted the following:

1. City Council refer the Item to the Public Works and Infrastructure Committee for
consideration at its meeting on June 3, 2009, in conjunction with the alternative proposal as provided in the memorandum (April 28, 2009) from the Manager, Traffic Operations, Toronto and East York District (attached).

2. City Council request the General Manager, Transportation Services, to report to the Public Works and Infrastructure Committee at its meeting on June 3, 2009, for consideration with this Item, on opportunities for the addition or conversion of parking on those streets that connect with Dundas Street West in Ward 18; and the Public Works and Infrastructure Committee forward any recommendations that would impact connecting streets to the Toronto and East York Community Council.

3. The Public Works and Infrastructure Committee consider, as background to this Item, the staff report dated November 9, 2007, titled “Impact of Changes to On-street Parking Regulations – Dundas Street West, between Dovercourt Road and Sterling Road”.

**Background Information**

PW25.4a-Parking Regulations - Dundas Street West, Dovercourt Road to Sterling Road - One Year Review-City Council Decision of April 29 and 30, 2009  

PW25.4a-Attachment - Memo dated April 28, 2009, from Manager, Traffic Operations, Toronto and East York District (West)  

PW25.4a-Attachment - Report dated November 9, 2007, from Director, Economic Research and Business Information  

PW25.4a-Attachment - Report dated October 20, 2008, from Director, Transportation Services, Toronto and East York District  

PW25.4a-Attachment - Appendix A to report dated October 20, 2008, from Director, Transportation Services, Toronto and East York District  

**PW25.5**

**City of Toronto/TTC Streetcar and Light Rail Track Construction and Maintenance Agreement**

**Origin**

(May 19, 2009) Report from Deputy City Manager Richard Butts

**Recommendations**

The Deputy City Manager recommends that:

1. City Council grant authorization to enter into an agreement with the Toronto Transit Commission with respect to construction and maintenance responsibilities for streetcar and light rail tracks and right-of-ways within the City’s public highways, generally in
accordance with the terms and conditions contained in the draft agreement attached to
this report.

2. City Council refer this report to the Toronto Transit Commission for information.

3. The appropriate City and Toronto Transit Officials be authorized and directed to take
the necessary action to give effect thereto.

Summary
This report seeks City Council approval to update and replace previous pre-amalgamation
agreements respecting streetcar/light rail track construction and maintenance responsibilities
that existed between the TTC, the former Metropolitan Corporation and the former cities of
Toronto and Etobicoke prior to January 1, 1998 with a new agreement in the form appended to
this report.

The new agreement will help to clarify roles and formalize the division of TTC and City
responsibilities from both a funding and an operational perspective. This will ensure that many
outstanding issues are better aligned with the current needs and practices.

Financial Impact
There are no direct financial implications resulting from the adoption of this report,
significantly in excess of current cost responsibilities.

Background Information
PW25.5-City of Toronto/TTC Streetcar and Light Rail Track Construction and Maintenance
Agreement-Staff Report
PW25.5-Attachment - Draft City of Toronto/Toronto Transit Commission Agreement

Contract Award - Contract 09FS-42WS, Tender Call 59-2009 and
Purchase Order Amendments for Milliken Pumping Station and
Reservoir Expansion

Origin
(May 20, 2009) Report from Executive Director, Technical Services, and the Acting Director,
Purchasing and Materials Management

Recommendations
The Executive Director of Technical Services and the Acting Director of Purchasing and
Materials Management recommend that:

1. City Council grant authority for funds in the amount of $21,280,410.00 net of GST to
be reallocated to CPW029-04 Milliken Reservoir Ext-Construction from CPW018-4 -
2. Subject to the approval of Recommendation 1 above, award Contract 09FS-42WS, Tender Call 59-2009, for the Milliken Pumping Station and Reservoir Expansion to Bondfield Construction Company Limited, in the amount of $89,652,666.67, net of GST, having submitted the lowest bid meeting specifications in conformance with the Tender requirements.

3. City Council grant authority to amend Purchase Order No. 6024199 professional services with Associated Engineering (Ontario) Ltd. for provision of general office administration and site supervision services during construction by an additional amount of $510,900.00 net of GST, for a revised total of $2,210,900.00 net of GST, and extend the purchase order expiry date to December 31, 2013.

Summary
The purpose of this report is to advise on the results of the Tender Call 59-2009 issued for the Milliken Pumping Station and Reservoir Expansion in accordance with specifications and drawings as required by Technical Services; to request authority to award a contract to the recommended bidder; and to amend the purchase order for professional engineering services with Associated Engineering (Ontario) Ltd.

Financial Impact
The total construction contract award identified in this report is $94,135,300.00 including all applicable taxes, charges and contingency allowances. The total purchase order amendment identified in this report is $510,900.00 net of GST.

The total value of the contract award and purchase order amendment identified in this report is $94,671,745.00, including all applicable taxes and charges. The cost to the City, net of GST is $90,163,566.67.

There is insufficient funding currently available in WBS Element CPW029 – Water Storage Expansion for the contract award of $89,652,666.67, the purchase order amendment of $510,900.00 and approximately $5,000,000.00 for additional permits, charges and fees for construction. As a result, reallocation of funding from approved projects in the 2009 Toronto Water Capital Budget and 2010-2013 Capital Plan is required.

The following Table summarizes the cash flow requirements, for the contract award and purchase order amendments identified in this report, by year:
In accordance with the agreement with the Regional Municipality of York (York) dated March 1, 2005 - Contribution to Cost Sharing Facilities Schedule B2, York’s contribution to the construction contract will be $32,999,714.29, net of GST. The City of Toronto’s financial commitment to this component of the project will be $56,652,952.38, net of GST.

The high level (+/- 30%) engineers’ estimate of probable cost developed in June 2008, at the time that the 2009 Toronto Water capital budget cycle was initiated, for this construction project was $74,400,000 net of GST. The price of the recommended tender is within this high level range.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

**Background Information**

PW25.6-Contract Award - Contract 09FS-42WS, Tender Call 59-2009 and Purchase Order Amendments for Milliken Pumping Station and Reservoir Expansion-Staff Report


**PW25.7**

**Amendment to Municipal Code - Management of Subsurface Space in the Road Allowance**

**Origin**

(May 19, 2009) Report from Executive Director, Technical Services
Recommendations
The Executive Director of Technical Services, recommends that:

1. The Municipal Code Chapter 743, Streets and Sidewalks, Use of, be amended substantially as set out in Attachment 1 to this report, to require as a condition of cut permit approval that as-built drawings, or location certificates, be submitted by all applicants, including utilities, to the City of Toronto within 60 days of completion of construction by the applicant installing underground equipment, plant or structures within the road allowance, subject to such technical or stylistic amendments as may be required by the City Solicitor.

2. As set out in Attachment 1, any applicant who fails to provide the as-built drawings or location certificates as required shall pay the City’s cost of preparing them and shall be ineligible, except in the case of emergency or to perform work where otherwise required by the City, for the issuance of further permits for the performance of work within the City street in respect of the particular equipment, plant or structure for which the as-built drawing or location certificate is outstanding until these requirements are complied with or the City’s costs of preparing the as-built drawings or location certificates have been paid by the applicant.

3. The Executive Director of Technical Services and the General Manager of Transportation Services be authorized to define standards for as-built drawings and location certificates consistent with Ontario Regional Common Ground Alliance (ORCGA) best practices and the evolving CSA standard for the mapping of buried utilities.

4. The appropriate City officials be authorized to implement the foregoing, including the introduction of the necessary bill.

Summary
The purpose of this report is to provide an update on the long-term initiative to improve the management of subsurface space in the road allowance and request an amendment to the Municipal Code that would require as-built drawings as a condition of road cut permit approval.

Financial Impact
There are no new financial implications from the adoption of this report.

Background Information
PW25.7-Amendment to Municipal Code - Management of Subsurface Space in the Road Allowance-Staff Report
Redevelopment of the Dufferin Waste Management Facility

Origin
(May 20, 2009) Report from General Manager, Solid Waste Management Services

Recommendations
The General Manager, Solid Waste Management Services, recommends that:

1. The Dufferin Waste Management Facility be redeveloped as a showcase integrated diversion facility which will include the new material recovery facility recommended in 2 a) below and the new community recycling centre recommended in 3) below.

2. The strategy for processing the estimated 360,000 tonnes per year of single stream recyclable material that is expected to be collected in the City’s Blue Box programs over the 20 year period 2012-2032, include:
   a. a new material recovery facility with a processing capacity of 240,000 tonnes per year, to be developed at the City’s Dufferin Waste Management Site to replace the existing material recovery facility at that site; and
   b. a request for proposals for up to 120,000 tonnes per year of third party contracted processing capacity for a period of up to 10 years.

3. A new community recycling centre be developed at the Dufferin Waste Management Facility which will include:
   a. a public-access reuse centre;
   b. a public drop-off depot to support diversion of recyclable materials not collected via the blue box and other City recycling programs, e.g. large scrap metal items, Waste Electronics and Electrical Equipment and Household Hazardous Waste; and
   c. a processing facility for the durable goods material stream to separate items for reuse or recycling.

4. The General Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, be authorized and directed to issue the appropriate procurement document to procure processing services for up to 120,000 tonnes per year of single stream recyclable material for a period of up to 10 years, on terms and conditions satisfactory to the General Manager, Solid Waste Management Services, and the Director of Purchasing and Materials Management.

5. The General Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, be authorized and directed to issue a RFP to procure contracted professional services in support of the development of the master plan for the redevelopment of the Dufferin Waste Management Facility recommended in 1) above, which will require the consultant/professional to:
a. prepare a project plan for a staged redevelopment of the Dufferin Waste Management Facility;
b. prepare a site plan addressing all future facilities and functions including the new material recovery facility and community recycling centre recommended in 2 a) and 3) above;
c. conduct engineering studies and prepare final designs required for the construction of new, or modifications of existing, utility servicing, storm and sanitary sewers, roads, weigh scales, surface water management features etc., as required to implement the site plan design;
d. prepare the appropriate procurement document, as determined by the General Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, to retain a contractor to construct the site plan design; and
e. provide contract administration and construction supervision services during the construction of the site plan design.

6. The General Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, be authorized and directed to issue a RFP to procure contracted professional services in support of the development of the 240,000 tonne per year material recovery facility recommended in 2 a) above, which will require the consultant/professional to:

a. conduct preliminary design studies required for the new material recovery facility and decommission the existing MRF and convert to maintenance / storage functions;
b. conduct engineering studies required for the demolition of the existing building at #75 Vanley Crescent;
c. prepare the appropriate procurement document, as determined by the General Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, to retain a contractor to demolish the existing building at #75 Vanley Crescent, to design, build and operate the new material recovery facility; and to decommission the existing material recovery facility and convert to maintenance / storage functions; and
d. provide contract administration and construction supervision services during the demolition of the existing building at #75 Vanley Crescent and during the design, construction and commissioning of the new material recovery facility and decommissioning of the existing material recovery facility and conversion to maintenance / storage functions.

7. The General Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, be authorized and directed to issue a RFP to procure contracted professional services in support of the development of the new community recycling centre recommended in 3) above, which will require the consultant/professional to:

a. conduct preliminary design studies required for the community recycling centre;
b. prepare the appropriate procurement document, as determined by the General
Manager, Solid Waste Management Services, and the Director, Purchasing and Materials Management, to retain a contractor to design and build the community recycling centre; and

c. provide contract administration and construction supervision services during the design, construction and commissioning of the community recycling centre.

8. Prior to issuing the procurement document described in recommendation 5 d) above, the General Manager, Solid Waste Management Services, report back to the SSO and Recycling Infrastructure Sub-Committee with key terms of the procurement document.

9. Prior to issuing the procurement document described in recommendation 6 c) above, the General Manager, Solid Waste Management Services, report back to the SSO and Recycling Infrastructure Sub-Committee with key terms of the procurement document.

10. Prior to issuing the procurement document described in recommendation 7 b) above, the General Manager, Solid Waste Management Services, report back to the SSO and Recycling Infrastructure Sub-Committee with key terms of the procurement document.

11. The General Manager, Solid Waste Management Services, be authorized and directed to apply for funding from Waste Diversion Ontario, Stewardship Ontario and any other agency offering funding to offset any eligible costs of the new material recovery facility or the community recycling centre or any other eligible work arising from the redevelopment of the Dufferin Waste Management Facility.

**Summary**
The purpose of this report is to: recommend a strategy for the redevelopment of the Dufferin Waste Management Facility; recommend a long-term plan to process single stream recyclable material (SSRM) collected through the City's Blue Box Programs including the development of a new City-owned material recovery facility and the eventual decommissioning of the existing material recovery facility; to recommend a plan to develop a new community recycling centre which will include a public drop-off depot and reuse centre and also a facility to process the durable goods material stream to separate items for reuse and recycling; and to obtain authority to issue requests for proposals to implement the strategy.

**Financial Impact**
There are no immediate financial implications associated with the recommendations in this report. Financial implications associated with the contracts that will result from the recommendations will be reported as required when authority is sought to award contracts.

**Background Information**
PW25.8-Redevelopment of the Dufferin Waste Management Facility-Staff Report
PW25.8-Attachment - Figure 1 - Dufferin Waste Management Facility - Existing Plan
PW25.8-Attachment - Figure 2 - Dufferin Waste Management Facility - Redevelopment Conceptual Plan
Disposal Agreement with the Regional Municipality of York

Origin
(May 20, 2009) Report from General Manager, Solid Waste Management Services

Recommendations
The General Manager, Solid Waste Management Services, recommends that:

1. City Council authorize the General Manager of Solid Waste Management Services to execute an Agreement with the Regional Municipality of York for the Disposal of municipal and commercial waste from the Region of York at the Green Lane Landfill, at the prices and on the material terms set out in Attachment “A”, and otherwise on terms and conditions satisfactory to the General Manager of Solid Waste Management Services and in a form satisfactory to the City Solicitor.

Summary
The purpose of this report is to seek City Council authority to enter into an agreement between the City of Toronto and the Regional Municipality of York to continue the disposal arrangements for waste from the Region of York at the Green Lane Landfill.

Financial Impact
The 2009 Operating Budget Solid Waste Management Services includes a revenue of $2,220,240 in cost center SW0901 for the receipt and landfilling of waste from York Region. The new Agreement substantially changes fees for tonnages above 75,000 tonnes. Under this new Agreement, fees for waste volumes over 75,000 tonnes increase by 60.6% from $38.60 per tonne to $62.00 per tonne, however, the projected tonnage for 2009 is currently 54,000 tonnes. Entering into this new Agreement is not expected to affect the tonnage amounts or rates for waste from York Region for 2009. There will also be no net impact on the 2009 Operating Budget as a result of this Agreement.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Background Information
PW25.9-Disposal Agreement with the Regional Municipality of York-Staff Report
PW25.9-Attachment A - Summary of Material Terms and Conditions of the Waste Disposal Agreement between the City of Toronto and the Region of York
Amendment to Waste Transport and Disposal Agreement with Republic Services Inc.

Origin
(May 20, 2009) Report from General Manager, Solid Waste Management Services

Recommendations
The General Manager, Solid Waste Management Services, recommends that:

1. City Council authorize the General Manager, Solid Waste Management Services, to enter into an amending agreement with Republic Services, Inc., Republic Services of Canada, Inc., Republic Services of Michigan I, LLC, doing business as Carleton Farms, and Republic Transportation Services of Canada, Inc. to change the Alternate Disposal Site from the Brent Run Landfill in Genesee County Michigan, to the Sauk Trail Hills Landfill in Wayne County Michigan, in a form satisfactory to the City Solicitor.

Summary
The purpose of this report is to seek approval to amend the Waste Transport and Disposal Agreement between the City of Toronto and Republic Services Inc., Republic Services of Canada Inc., Republic Services of Michigan I, LLC, doing business as Carleton Farms, and Republic Transportation Services of Canada, Inc. to change the Alternate Disposal Site from the Brent Run Landfill located in Genesee County, Michigan to the Sauk Trail Hills Landfill located in Wayne County Michigan.

Financial Impact
There are no financial impacts as a result of this recommendation.

Background Information
PW25.10-Amendment to Waste Transport and Disposal Agreement with Republic Services Inc.-Staff Report

Sewers By-law 2008 Compliance and Enforcement

Origin
(May 25, 2009) Report from General Manager, Toronto Water

Recommendations
The General Manager, Toronto Water, recommends that:
1. The City Solicitor, in consultation with the General Manager, Toronto Water, report back to the Public Works and Infrastructure Committee on the City's authority to require industries, commercial and institutional establishments within the City of Toronto to implement Pollution Prevention Plans submitted in accordance with 681-5 of Chapter 681 of the Municipal Code.

2. The Medical Officer of Health investigate whether the Pollution Prevention (P2) Program reporting component of the Sewers By-law could be electronically incorporated into the Toronto Public Health electronic reporting system required under their Environmental Reporting and Disclosure By-law.

Summary
This report provides a summary of the activities undertaken by Toronto Water in 2008 with respect to compliance and enforcement of the Municipal Code Chapter 681-Sewers (the “Sewers By-law”). This report also addresses Council’s request for the General Manager, Toronto Water to report on compliance plans under the Sewers By-law.

Financial Impact
There are no financial implications to the City as a result of this report.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Background Information

PW25.12

Sole Source Agreement with Harbourfront Corporation for Waterfront Cleaning Services

Origin
(May 15, 2009) Report from General Manager, Toronto Water

Recommendations
The General Manager, Toronto Water, recommends that:

1. The General Manager, Toronto Water, be authorized to enter into a Sole Source agreement, in a form satisfactory to the City Solicitor, with Harbourfront Corporation for the purpose of operating and supervising the in-water cleaning activities along the City of Toronto waterfront. The agreement will cover a period of one year, with an option to renew for two additional one year periods.
Summary
This report requests authorization for the General Manager, Toronto Water, to enter into a Sole Source agreement with the Harbourfront Corporation for a period of one year, with an option to renew for two additional one year periods. Under the agreement, the Harbourfront Corporation will continue to carry out in-water cleaning operations along the City of Toronto lakefront.

Financial Impact
The total contract award identified in this report is $870,000.00 including all applicable taxes and charges. The funding for the contract award is included in the approved Toronto Water 2009 Capital Budget and 2010-2013 Capital Plan in CWW034-Operational Support.

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The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Background Information
PW25.12-Sole Source Agreement with Harbourfront Corporation for Waterfront Cleaning Services-Staff Report

PW25.13 Information Ward: 32
Ashbridges Bay Treatment Plant 2007/2008 Mediation Agreement Interim Compliance Report

Origin
(May 15, 2009) Report from General Manager, Toronto Water

Summary
The purpose of this report is to submit the 2007/2008 Mediation Agreement Interim Compliance Report to the Public Works and Infrastructure Committee by the General Manager of Toronto Water on behalf of the Implementation and Compliance Monitoring Committee (ICMC).

The Interim Compliance Report summarizes the ICMC’s concerns with respect to the implementation of the Ashbridges Bay Treatment Plant Environmental Assessment Mediation Agreement and provides a set of responses for each concern raised in an attachment to this report. Toronto Water is committed to the implementation of these plans and to completing the few remaining tasks in order to fulfill the commitments contained within the Mediation Agreement.
Financial Impact
There are no financial impacts resulting from this report.

Background Information

PW25.14 ACTION Ward: All
Ashbridges Bay Treatment Plant Pelletizer Facility - Proposed Contract Amendments

Origin
(May 20, 2009) Report from General Manager, Toronto Water

Recommendations
The General Manager, Toronto Water, recommends that:

1. City Council authorize the General Manager, Toronto Water, to finalize negotiations with, enter into and execute any necessary amending agreement(s) with Veolia Water Canada, Inc. ("Veolia"), on terms and conditions based on the Term Sheet outlined in Attachment 1 of this report and otherwise on terms and conditions satisfactory to the General Manager, Toronto Water and in a form satisfactory to the City Solicitor in relation to the following agreements between the parties:

   a. the Operation, Maintenance and Pellet Marketing Services Agreement made on September 27, 2007 (the “OM&M Agreement”);

   b. the Services Agreement for the design and construction of the Pelletizer Facility located at the Ashbridges Bay Treatment Plant (the “Services Agreement”); and/or

   c. the Amendment to the Services Agreement effective August 21, 2003 (the “Amendment”).

2. Subject to the adoption of Recommendation 1, City Council authorize the General Manager, Toronto Water, to pay a Per Tonne Price amount, as defined in the OM&M Agreement, for the pellet production generated by Veolia at the Pelletizer Facility for the period commencing December 20, 2008 and ending on the effective date of the amending agreement(s) cited in Recommendation 1.

3. Subject to the adoption of Recommendation 2, City Council authorize the General
Manager, Toronto Water, to enter into and execute a Letter Amendment to the OM&M Agreement with Veolia, if necessary, to give effect to Recommendation 2 on terms and conditions satisfactory to him and in a form satisfactory to the City Solicitor.

Summary
The purpose of this report is to seek Council approval and authority to enter into and execute any necessary amending agreement(s) with Veolia Water Canada, Inc. on the terms and conditions outlined in this report. The full time operation of the Pelletizer Facility located at the Ashbridges Bay Treatment Plant (the “ABTP”) has been hindered by recent developments detailed in this report.

Secondary Testing of the Pelletizer Facility was completed on December 19, 2008. The results indicate that the facility does not at this time process the 25,000 dry tonnes per year of pellets that is required under the City’s Services Agreement with Veolia for the design and construction of the Pelletizer Facility.

The Pelletizer Facility is now in production and, despite several equipment malfunctions, appears capable of processing biosolids at a rate of between 15,000 and 18,000 dry tonnes per year. Toronto Water has put in place alternative plans to beneficially use and/or dispose of the biosolids that the Pelletizer Facility is unable to process.

Toronto Water has been in negotiations with Veolia to amend certain business terms within the Services Agreement for the design and construction of the Pelletizer Facility and the Operations, Maintenance and Pellet Marketing Agreement (the “OM&M Agreement”). Negotiations have produced tentative agreement amendments, subject to Council approval, to allow for the full time operation of the facility to commence on a reduced production rate basis under the OM&M Agreement.

Financial Impact
The financial implications of this report on the ABTP operating costs will depend on the cost of alternate arrangements that the City will have to put in place to beneficially use and/or dispose of the biosolids that otherwise would have been processed by the Pelletizer Facility. However, at present, there are no anticipated financial impacts as operating budgets for the ABTP facility contain sufficient funds for the beneficial use and/or disposal of biosolids through any combination of the City’s existing service providers. Within the budget for biosolids beneficial use and/or disposal, cost savings from lower Pelletizer Facility operating costs will be applied to the additional cost of utilizing other service providers.

If additional funds over and above the approved amounts are required, this can be accommodated from the 2009 Toronto Water operating budget in Cost Centre WW100 (Wastewater Treatment) and will be made available in the 2010 Toronto Water operating budget under the same account. This Cost Centre will also be used to pay for external legal services required to prepare the Amending Agreement.

The proposed amendments to the Services Agreement will ensure a savings to the City of $799,932. These funds will remain in the capital program and become available for reallocation within the Toronto Water capital program.
The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

**Background Information**

PW25.14-Ashbridges Bay Treatment Plant Pelletizer Facility - Proposed Contract Amendments-Staff Report

PW25.14-Attachment - Term Sheet for Negotiations between Toronto Water and Veolia

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**Ashbridges Bay Treatment Plant Biogas Cogeneration Proposal from Toronto Hydro Energy Services**

**Origin**

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

**Recommendations**

The General Manager, Toronto Water, recommends that:

1. The General Manager, Toronto Water, be authorized to finalize negotiations, enter into and execute an Energy Services Agreement with Toronto Hydro Energy Services Inc., on terms and conditions based on the commercial principles outlined in Attachment 1, and otherwise on terms and conditions satisfactory to the General Manager, Toronto Water and in a form satisfactory to the City Solicitor.

2. Subject to the adoption of Recommendation 1, the General Manager be authorized to negotiate, enter into and execute any other related agreement(s) as may be necessary to give effect to Recommendation 1 on terms and conditions satisfactory to the General Manager, Toronto Water and in a form satisfactory to the City Solicitor.

**Summary**

The purpose of this report is to obtain City Council authority to finalize negotiations with Toronto Hydro Energy Services Inc. (“THESI”) and enter into an Energy Services Agreement between the City and THESI on terms and conditions based on the commercial principles outlined in Attachment 1 for the implementation of an 8.2 megawatt (“MW”) Cogeneration Facility, capable of being increased to 10 MW, utilizing biogas generated at the Ashbridges Bay Treatment Plant (the “Cogeneration Facility”).

THESI proposes to design, construct, own and operate the Cogeneration Facility which would generate electricity and thermal energy to be located within the City’s Transportation Services yard at 7 Leslie Street. It is proposed that the City and THESI enter into an Energy Services Agreement pursuant to which THESI would purchase from the City, and the Cogeneration Facility would use, as a fuel source, biogas produced at the Ashbridges Bay Treatment Plant.
(the “ABTP”) and the City would purchase thermal energy produced by the Cogeneration Facility and receive the benefit of standby electricity generation capacity for the operation of the ABTP. The Cogeneration Facility is expected to provide green energy, emergency power for the ABTP and reduce CO\textsubscript{2} emissions.

City staff have previously been authorized by City Council, subject to a report back to Committee, to negotiate with THESI, on a sole source basis, the development of this Cogeneration Facility at the ABTP in accordance with conditions directed by Council at its meeting on March 3, 4 and 5 of 2008 and, specifically, THESI agreeing to, among other things, City ownership of any resultant emissions credits not required to be provided to the Ontario Power Authority (the “OPA”).

**Financial Impact**

Toronto Water staff have worked with THESI to develop a financial model and to quantify the financial impact to the City over the life of the proposed Energy Services Agreement. The financial model is highly sensitive to variations in key variables such as natural gas prices, reliability (uptime) of the Cogeneration Facility and future volumes of available biogas. The financial model projects that the THESI proposal is superior to the “do nothing” option and potentially equivalent, depending on the burner tip price of natural gas, to a baseline operating scenario in which Toronto Water uses all the available biogas to displace its purchase of natural gas. The volatility of the variables is such that the City may, under certain circumstances, share part of the financial risk. The magnitude of the cost impact, if any, is difficult to estimate but is mitigated by a reduction in Electrical Transmission and Distribution charges, avoided capital costs to realize full in-plant usage of biogas, financial penalties to THESI if uptime targets are not met, and by Toronto Water’s ability to switch back to Biogas when it is not being consumed by THESI.

The annual cost to Toronto Water will increase as the natural gas price increases in future years and if Toronto Hydro is unable to maintain a consistently high facility uptime. The Comment Section further addresses the financial implications to the City.

Although cost increases are not projected at this time, additional funds to cover Toronto Water operational cost increases may be required once the Cogeneration Facility is put into operation. Any added funds required in 2009 will be accommodated from the existing 2009 Toronto Water operating budget in Cost Centre WW100 (Wastewater Treatment). Funds to cover the added cost in future years will be included in future Toronto Water Operating Budgets under this same cost centre.

THESI will fund all capital and operating expenses associated with the cogeneration facility, including costs associated with interconnection to the ABTP. Toronto Water will be required to fund certain in-plant improvements through its 2010 and 2011 capital budgets. The capital improvements are currently estimated at $2,475,000.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

**Background Information**

PW25.15-Ashbridges Bay Treatment Plant Biogas Cogeneration Proposal from Toronto Hydro
Baseline Flooding Studies Follow-up

Origin
(May 15, 2009) Report from General Manager, Toronto Water

Summary
This report responds to a request by City Council to report on options to assist with downspout disconnection, the quantity of impervious area in the Basement Flooding Study areas, a suggestion to involve the community in catch basin cleaning and establishing a priority response for extreme basement flooding.

Financial Impact
There are no financial implications resulting from the adoption of this report.

Background Information
PW25.16-Basement Flooding Studies Follow-up-Staff Report

Update on the Emergency Repair to the Coxwell Sanitary Trunk Sewer

Origin
(May 20, 2009) Report from General Manager, Toronto Water

Summary
This report provides an update on the progress made in contingency planning and in advancing the work required to address the damaged section of the Coxwell Sanitary Trunk Sewer (the “CSTS”).

Preliminary work indicates a permanent by-pass is the preferred option, though this remains dependant on the results of the geotechnical studies that are expected to be completed in late June 2009. The permanent by-pass, if that is the chosen option, will be implemented as expeditiously as possible. As work considering by-pass options progresses, emergency measures to control discharge of sewage and mitigate environmental impacts in the event the CSTS was to fail, are being implemented; and the technical feasibility and limitations of implementing temporary by-pass/treatment options in advance of the construction of the
permanent by-pass are also being assessed.

**Financial Impact**
There are no financial implications resulting from receipt of this report.

**Background Information**
PW25.17-Update on the Emergency Repair to the Coxwell Sanitary Trunk Sewer-Staff Report

**PW25.18 ACTION**

**Motorized Bicycles on Sidewalks**

**Origin**
(May 19, 2009) Letter from Toronto Pedestrian Committee

**Recommendations**
The Toronto Pedestrian Committee recommends that:

1. The General Manager, Transportation Services, in consultation with the City Solicitor, be requested to report on the necessary amendments to City By-laws to prohibit the use of “power-assisted bicycles” on City sidewalks, and that the report include alternative ways to enforce the proposed by-law.

2. The General Manager, Transportation Services, in consultation with the City Solicitor, be requested to report on potential amendments to City By-laws to address the challenge of adult cyclists riding bicycles with a wheel diameter of less than 61 centimetres on City sidewalks.

**Summary**
The Toronto Pedestrian Committee on May 19, 2009, considered a matter entitled "Motorized Bicycles on Sidewalks" and forwarded its recommendations to the Public Works and Infrastructure Committee.

**Background Information**
PW25.18-Motorized Bicycles on Sidewalks-Letter from Toronto Pedestrian Committee
PW25.18-Attachment - e-mail from Dylan Reid
St. Clair Avenue West, between Caledonia Road/Caledonia Park Road and Old Weston Road - Fire Vehicle Access

Origin
(April 24, 2009) Letter from Etobicoke York Community Council

Summary
The Etobicoke York Community Council on April 21, 2009, referred the following motion from Councillor Palacio to the Public Works and Infrastructure Committee:

1. That the Deputy City Manager, in consultation with the Chief General Manager, Toronto Transit Commission, with input from the Chief, Toronto Fire Services, report back to the June 3, 2009 meeting of the Public Works and Infrastructure Committee, with further details of fire vehicle access along the St. Clair Right-of-Way within the Etobicoke York District.

2. That the report include a detailed analysis of the project as it pertains to the Etobicoke York District identified in Deputy Chief Bob Leek’s April 9, 2008 report, including precise current and projected emergency response times along St. Clair Avenue West and a point by point response to the concerns raised including curb heights, access for emergency vehicles on and off the exclusive right-of-way and the drivability on the right-of-way in emergency situations.

Background Information
PW25.19-Letter from Etobicoke York Community Council
(PW25.19.pdf)

PW25.19-Attachment - Report dated March 16, 2009 from Director, Transportation Services, Etobicoke York District
(PW25.19-Attachment.pdf)

2009 Bikeway Network Program - Installation of Bicycle Lanes

Origin
(May 20, 2009) Report from General Manager, Transportation Services

Recommendations
The General Manager, Transportation Services, recommends that:

1. City Council approve the installation of bicycle lanes on the following roadways:
   a. Bellamy Road North, from Porchester Drive to Brimorton Drive;
b. Bloor Street West, from Mill Road to Beamish Drive;
c. Brock Avenue, from a point 25 metres north of Seaford Avenue to Florence Street;
d. Crescent Town Road, from Dawes Road to Victoria Park Avenue;
e. Huntingwood Drive, from Victoria Park Avenue to Birchmount Road;
f. Lansdowne Avenue, from Rideau Avenue to Dundas Street West;
g. Moore Avenue, from Welland Avenue to Bayview Avenue;
h. Rathburn Road, from Mimico Creek to Islington Avenue;
i. The West Mall, from the Queensway to Bloor Street West;
j. The Westway, from Martin Grove Road to Royal York Road; and
k. Trethewey Drive, from Jane Street to Black Creek Drive.

2. City Council approve the installation of contra-flow bicycle lanes on the following roadways:

a. Argyle Street, from Northcote Avenue to Lisgar Street, from Dovercourt Road to Ossington Avenue, and from Shaw Street to Givins Street;
b. Bellwoods Avenue, from a point 90 metres north of Queen Street West to Robinson Street;
c. Glen Cedar Road, from Dewbourne Avenue to Eglinton Avenue West;
d. Fermanagh Avenue, from Roncesvalles Avenue to Sorauren Avenue;
e. Florence Street, from Brock Avenue to Sheridan Avenue;
f. Gladstone Avenue, from Waterloo Avenue to Argyle Street;
g. Havelock Street, from Lindsey Avenue to Dewson Street;
h. Lindsey Avenue, from Brock Avenue to Dufferin Street;
i. Maitland Place, from Jarvis Street to a point 100 metres west of Homewood Avenue;
j. Shaw Street, from Dundas Street West to Harbord Street;
h. Waterloo Avenue, from Dufferin Street to Gladstone Avenue.

3. City Council authorize the General Manager, Transportation Services, to develop and implement the detailed design for the above noted bicycle lanes, including amendments to traffic and parking regulations, in consultation with the Ward Councillors.

4. City Council approve amendments to the existing bicycle lanes on Rogers Road, from Old Weston Road to Oakwood Avenue, and amend the associated parking regulations in consultation with the Ward Councillors.

a. to provide parking on the south side of the road, between Blackthorn Avenue and Bronoco Avenue;
b. to relocate the parking from the north side of Rogers Road, between Nairn Avenue and Earlscourt Avenue, to the south side of the roadway; and
c. to relocate the parking from the south side of Rogers Road, between Chambers Avenue and Rosethorn Avenue, to the north side of the roadway.

5. 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.
Summary
The purpose of this report is to obtain authority for installing 24.1 kilometres of new bicycle lanes which will form part of the Toronto Bike Plan – 2009 Bikeway Network Program.

In addition, authority is sought to amend the existing bicycle lanes installed last year on Rogers Road, from Old Weston Road to Oakwood Avenue, and amend the associated parking regulations, at the request of the Ward Councillors.

The affected Ward Councillors have been consulted regarding the bicycle lanes proposed in their respective Wards. The T.T.C has been consulted regarding the bicycle lanes proposed for streets with T.T.C. bus routes.

Financial Impact
Funds to implement the bicycle lanes and pavement markings recommended in this report are provided within the Transportation Services Division 2009 Capital Budget in the Cycling Infrastructure Account CTP 808-05.

Background Information
PW25.20-2009 Bikeway Network Program - Installation of Bicycle Lanes-Staff Report
(PW25.20-Attachment - Drawing No. 421P0133m1
(PW25.20-Attachment - Drawing No. 421P0133
(PW25.20-Attachment - Drawing No. 421P0136
(PW25.20-Attachment - Drawing No. 421P-0133m3

PW25.21 ACTION Ward: All

Toronto Public Bicycles Project

Origin
(May 26, 2009) Report from General Manager, Transportation Services

Recommendations
The General Manager, Transportation Services, recommends that:

1. City Council authorize the General Manager, Transportation Services, in consultation with the City Solicitor, to undertake negotiations with the Public Bicycle System Company, as the sole respondent to the City’s Request for Expressions of Interest which was pre-qualified as a potential vendor capable of offering a public bicycle system not dependant on advertising within the street right-of-way, to develop a proposal to implement and operate a Toronto public bicycle system at no cost to the City and, if successful, to report back in Fall 2009 on a proposed draft agreement, in order to launch
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a public bicycle system in Spring 2010.

2. City Council authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

Summary
Transportation Services is seeking authority to enter into negotiations with the Public Bicycle System Company to develop a detailed business plan for launching and operating a Toronto public bicycle system at no cost to the City. If successful, Transportation Services will report back in Fall 2009 on a proposed draft agreement, in order to launch the public bicycle system in Spring 2010.

Financial Impact
There is no immediate financial impact resulting from the adoption of this report. Transportation Services is seeking authority to enter into negotiations with the Public Bicycle System Company to develop a detailed business plan for launching and operating a Toronto public bicycle system, at no cost to the City and without additional advertising within the street right-of-way. Transportation Services will report back in Fall 2009 on a detailed proposal, including a proposed draft agreement, in order to launch the public bicycle system in Spring 2010.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

Background Information
PW25.21-Toronto Public Bicycles Project-Staff Report

PW25.22 Information Ward: All

Toronto Bike Plan - New Strategic Directions

Origin
(May 25, 2009) Report from General Manager, Transportation Services

Summary
The Toronto Bike Plan makes recommendations for improving cycling conditions and encouraging cycling in six key program areas: building bicycle friendly streets policies; expanding the bikeway network; improving bicycle safety; promoting cycling for everyday travel; providing secure bicycle parking; and improving the links between cycling and transit. Progress has been made in implementing the Bike Plan’s recommendations in all six program areas.

Since the Bike Plan was adopted by City Council in 2001 there have been a number of important new cycling-related developments in the City and new bicycle planning trends in North American cities. In response to the experience of the first seven years of the Bike Plan’s
implementation and these new trends, this report presents six new strategic directions for achieving the Bike Plan’s goals for the period 2009-11.

The Bike Plan new directions are to:

- launch a Toronto Public Bicycle System by Spring 2010;
- expand the downtown bikeways to support the Public Bicycle System;
- accelerate construction of the Bikeway Network trails;
- expand high-security bicycle parking facilities;
- develop a comprehensive research and evaluation program; and
- develop a new promotion and communications strategy.

**Financial Impact**

A total of $69.3 million is planned for cycling infrastructure within the Transportation Services Approved 5-Year Capital Plan for the years 2009-2013. However, $28.8 million of the total approved plan is dependant on funding from external sources that has not been received yet by the City. This is the estimated amount to design and construct approximately 49 km of bikeway trails in the Finch and Gatineau hydro corridors. The City of Toronto funding, in the amount of $40.5 million is sufficient to complete the balance of the cycling infrastructure elements of the Bike Plan, including bicycle parking facilities, on-street bikeways and bikeway trails within parks and open space under the City’s jurisdiction.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

**Background Information**