

THE CITY OF TORONTO

City Clerk's Office

Minutes of Board of Health

Meeting 5

July 12, 2004

The Board of Health met on Monday, July 12, 2004 in Committee Room No. 1, 2nd Floor, City Hall, Toronto, commencing at 1:10 p.m.

Members Present:

Councillor John Filion, Chair	x
Trustee Sheila Cary-Meagher	x
Ms. Helen Chan	x
Councillor Janet Davis	x
Councillor Paula Fletcher, Vice-Chair	
Mr. Brian Hyndman	x
Mr. Brian MacKay	x
Councillor Joe Mihevc	x
Ms. Fiona Nelson	x
Ms. Nancy Peters	
Councillor Karen Stintz	x
Councillor Michael Thompson	x
Mr. Lee Zaslofsky	x

Councillor Filion in the Chair.

Confirmation of Minutes

On motion by Councillor Mihevc, the Minutes of the meeting of the Board of Health held on June 14, 2004 were confirmed.

5.1(a) Air Pollution Burden of Illness in Toronto: 2004 Summary

5.1(b) Agenda for Action on Air and Health

The Board of Health considered a report (June 29, 2004) from the Acting Medical Officer of Health, reporting on a new study by Toronto Public Health on outdoor air pollution and human health impacts; and recommending that:

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- (1) the Board of Health forward this report for information and appropriate action to the Chief Administrative Officer, the Commissioners of Urban Development Services and Works and Emergency Services, and to City Council for information and follow-up action as warranted; and
- (2) the Board of Health forward this report for information and appropriate action to the Ontario Ministers of the Environment, Energy, and Health and Long-Term Care; Ontario Public Health Association (OPHA); Ontario Medical Association (OMA); Ontario College of Family Physicians (OCFP); the Association of Local Public Health Agencies (alPHa); and every public health unit in Ontario; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Board of Health also considered a report (June 29, 2004) from the Acting Medical Officer of Health, given the persistent air pollution problems experienced in Toronto, and the significant burden of illness associated with that air pollution, identifying actions that could be taken by key provincial agencies to improve air quality in Toronto and other parts of the province; and recommending that the Board of Health:

- (1) request the Premier of Ontario to commit the Province of Ontario to contribute one-third of the long-term funding needed for TTC's "state of good repair" plan and "ridership growth strategy" to both rehabilitate and renew the existing infrastructure and increase transit service and ridership;
- (2) request the Premier of Ontario to move quickly on the recommendations of City Council to establish a Smart Growth process within the Greater Toronto Area that promotes healthy communities, protects natural resources, addresses gridlock, and improves air quality;
- (3) request the Ministers of Energy, the Environment, and Housing and Municipal Affairs to:
 - (a) develop a regulation that mandates the phase-out of coal-fired plants by 2007;
 - (b) establish an ambitious schedule of targets of electricity demand to be reduced with energy efficiency/ conservation (e.g. 10% reduction by 2007, 20% by 2010, 30% by 2015, 40% by 2020);
 - (c) instruct the Ontario Energy Board to adopt a policy that makes it profitable for utilities to effectively reduce electricity use among their customers;
 - (d) establish an Energy Efficiency Fund to be used to increase energy efficiency in existing schools, low income housing units, hospitals and other appropriate institutions;

- (e) revise the *Ontario Building Code* to maximize energy efficiency, encourage co-generation, and promote utilization of renewable technologies such as solar-heated water tanks;
 - (f) establish an ambitious schedule of Renewable Portfolio Standards (RPS) that mandates the minimum percentage of electricity that must be sourced from renewable sources by all utilities (e.g. 10% by 2010, 20% by 2015, 30% by 2020);
 - (g) develop a regulation that ensures that all new electrical generating facilities providing electricity to the province meet or exceed the emissions performance of combined cycle natural gas (CCNG) generators for SO_x, NO_x, mercury and carbon dioxide;
 - (h) develop polices that encourage the establishment of high efficiency natural gas generators and co-generation to maximize fuel efficiencies and minimize emissions of air pollutants and greenhouse gases; and
 - (i) ensure that all newly installed residential gas and wood fireplaces and stoves meet the low-emission certification requirements of the CSA and/or EPA;
- (4) request the Minister of the Environment:
- (a) in consultation with the Minister of Health and Long-Term Care and with respect to ambient air quality criteria (AAQC) to:
 - i) update the AAQC for carbon monoxide, sulphur dioxide and nitrogen dioxide and ensure that they are protective of human health;
 - ii) establish 8-hour air standards of 60 ppb and 50 ppb for ozone to be achieved by 2010 and 2015 respectively;
 - iii) Establish 24-hour standards of 25 ug/m³ and 20 ug/m³ for PM_{2.5} to be achieved by 2010 and 2015 respectively;
 - iv) review the standards for ozone and PM_{2.5} on a regular basis to move them towards the lowest adverse effect and/or background levels; and
 - (b) with respect to point sources that contribute to local air quality concerns to:
 - i) accelerate efforts to update air standards;
 - ii) replace existing air dispersion models in Regulation 346 with the new U.S. EPA models;
 - iii) replace the ½-hour Point of Impingement (POI) standards with appropriate effects-based standards and averaging times;

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- iv) utilize regional air dispersion modeling to assess cumulative impacts;
 - v) continue to review Certificates of Approval (CofA) and audit facilities to ensure that facilities are operating in compliance with air standards;
 - vi) give high priority to greater transparency in the development of, and full public consultation on, the Risk Management Framework for Air;
 - vii) establish consultation processes that allow meaningful input from public health units and/or local governments and the broader community on:
 - proposed air standards and guidelines;
 - the approval of CofAs; and
 - compliance related information for air standards;
 - viii) establish accessible databases that contain air emissions data that can be used by public health units and/or local governments for air quality planning purposes; and
 - ix) work towards the development of a regulatory process that allows consideration of cumulative impacts;
- (c) with respect to point sources that contribute to regional air quality concerns to:
- i) develop a regional air quality plan that identifies the reductions in smog-forming precursors that will be needed over time from Ontario's industrial and electrical sectors;
 - ii) clearly commit to the attainment of the 45% and 50% emission reduction targets for NO_x and SO₂ by 2010 as the first targets for regional air quality in Ontario;
 - iii) target the attainment of the 2010 Canada Wide Standards for PM_{2.5} and ozone as the second targets;
 - iv) work towards achieving air levels that are below the health-based reference levels for PM_{2.5} and ozone as the long-term goal;
 - v) develop a strategy that clearly identifies how emissions, measured in tonnes, will be reduced over time from the industrial sector as a whole and from industrial sub-sectors; and
 - vi) ensure that the emission reduction strategy for the industrial sector is translated into regulations that are mandatory and enforceable at a facility level;
- (d) with respect to emissions from on-road vehicles and off-road equipment to:
- i) align limits for sulphur levels in off-road diesel fuel with those for on-road diesel fuel when sold in large urban centres such as Toronto; and

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- ii) establish special funds to encourage transit authorities and school boards to reduce emissions from diesel-fuelled buses by promoting the replacement of older buses, retrofitting with emission control devices, and/or the use of cleaner fuels;
- (e) ensure that air quality planning functions are adequately resourced, integrated and coordinated across the Ministry and that air quality planning information is made accessible to the public and shared openly with public health units and/or local governments across the province;
- (f) examine different models of public consultation and ensure that consultation processes conducted on future Ministry regulations, standards and CofAs are fair, transparent and equitable;
- (g) with respect to the Air Quality Index (AQI) and smog messaging system to:
 - i) collaborate with, and actively support, the federal government's development of a formulation for the AQI that reflects the combined health effects of simultaneous exposure to the key air pollutants;
 - ii) continue to support the federal/provincial process to develop an effective smog messaging system for air quality indices used across the country; and
 - iii) Revise Ontario's AQI notification system to ensure that smog alerts are issued whenever the AQI is forecast to reach, or unexpectedly reaches, a value of 50 or greater;
- (5) request the Ministers represented on the Conservation Action Team to:
 - (a) collaborate with "20/20 The Way to Clean Air", the "One-Tonne Challenge", and the "Smart Commute" campaigns to strengthen and support existing efforts to engage residents in energy conservation activities; and
 - (b) have the Government of Ontario involve "20/20 The Way to Clean Air", the "One-Tonne Challenge", and the "Smart Commute" campaigns in the provincial energy conservation strategy;
- (6) request the Minister of Health and Long-Term Care to:
 - (a) enhance the capacity of the Public Health Division to address environmental health issues including a focus on air pollution;
 - (b) adequately resource and enhance the capacity of local public health units across the province to address air pollution and other environmental risks to human health; and

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- (c) revise the Mandatory Health Programs and Services Guidelines to ensure enhancement of program requirements related to protection of health from environmental hazards, including an explicit focus on air pollution; and
- (7) forward this report to the Ontario Public Health Association (OPHA), the Ontario Medical Association (OMA), the Ontario College of Family Physicians (OCFP), the Association of Local Public Health Agencies (alPHa) and every public health unit in Ontario for information;
- (8) forward this report for information and appropriate action to the Chief Administrative Officer, the Commissioners of Urban Development Services and Works and Emergency Services, and to City Council for information and follow-up action as warranted; and
- (9) authorize and direct appropriate City Officials to take the necessary action to give effect thereto.

The Board of Health also considered the following:

- communication (July 12, 2004) from Helen Hansen;
- briefing note (July 12, 2004) from Keith Stewart, Toronto Environmental Alliance;
- article headed "Evidence Based Public Health Policy and Practice – Health impact assessment as an agent of policy change: improving the Health impacts of the mayor of London's draft transport strategy" by J. Mindell, L. Sheridan, M. Joffe, H. Samson-Barry, S. Atkinson, submitted by Councillor Mihevc; and
- Toronto Transit Commission Report No. 12 for the Meeting Date: July 14, 2004, Subject: Bus-Only Lanes (Bus Rapid Transit), Downsview Subway Station to York University, submitted by Councillor Mihevc.

The Acting Medical Officer of Health gave a powerpoint presentation.

The following persons addressed the Board of Health:

- Lela Gary
- Keith Stewart, Toronto Environmental Alliance, and submitted a document headed "Analysis of Ontario's Five Point Clean Air Plan
- David H. Martin, Energy Co-ordinator, Greenpeace Canada, with written submission
- Jack Gibbons, Ontario Clean Air Alliance, with written submission

The Board of Health recommended that City Council:

- 1 adopt the staff recommendations in the Recommendations Section of the report (June 29, 2004) from the Acting Medical Officer of

Health headed “Agenda for Action on Air and Health” as amended by:

- a amending Recommendation (1) by deleting “one-third” and replacing it with “75 percent” so that the recommendation will now read:

“request the Premier of Ontario to commit the Province of Ontario to contribute 75 percent of the long-term funding needed for TTC's “state of good repair” plan and “ridership growth strategy” to both rehabilitate and renew the existing infrastructure and increase transit service and ridership;”;
[moved by Councillor Mihevc]

- b deleting Recommendation (3)(c) and replacing it with:

“instruct the Ontario Energy Board to link the profits of Ontario’s electric utilities (for example Toronto Hydro) to their success at reducing their customers’ bills by promoting energy conservation and efficiency;”;
[moved by Councillor Davis]

- 2 request the Premier of Ontario to commit the Provincial Government to provide greater funding for GO Transit and other Greater Toronto Area transit authorities; [moved by Councillor Stintz]
- 3 request the Premier of Ontario to develop a strategy to phase-out Ontario’s coal-fired power plants by a combination of energy conservation and efficiency, ecologically sustainable renewable electricity supply sources and high-efficiency natural gas-fired power plants, rather than by nuclear energy; [moved by Councillor Davis]
- 4 request the Minister of Education to report to the Board of Health on action being taken by Ontario schools with respect to energy conservation and efficiency; [moved by Trustee Sheila Cary-Meagher]
- 5 request the Acting Medical Officer of Health, in consultation with City departments and agencies, boards and commissions, to report back to the Board of Health on further actions and policy initiatives to improve air quality that the City of Toronto could undertake including, but not limited to:
 - (i) reducing time vehicles are permitted to idle;

- (ii) adding resources required to effectively enforce the vehicle idling control by-law;
 - (iii) enhancing the commitment of agencies, boards and commissions to purchasing clean energy; and
 - (iv) identifying some possible policies which could be implemented municipally; [moved by Councillor Mihevc]
- 6 request the Acting Medical Officer of Health to undertake a health impact assessment (HIA) in relation to the York University bus right-of-way and, if possible, the St Clair streetcar right-of-way and that such a health impact assessment be seen as a pilot study on how HIAs can contribute to healthy public policy; [moved by Councillor Mihevc]
- 7 request the Acting Medical Officer of Health to prepare a response to the Provincial Government's five-point action plan to reduce industrial air pollutants, with a goal of ensuring that the Province's final plan is in line with the recommendations in the report "Agenda for Action on Air and Health"; [moved by Councillor Davis]

(Councillor Stintz was recorded as voting against motion 7)

- 8 request the Acting Medical Officer of Health to report on an estimate of the number of people who are getting sick and/or dying due to the problems caused by the transportation system, including fossil-fueled vehicles and include comment on the emerging data related to transportation corridors. [moved by Lee Zaslofsky]

On further motion by Councillor Mihevc, the Board of Health adopted the recommendations in the Recommendations Section of the report (June 29, 2004) from the Acting Medical Officer of Health headed "Air Pollution Burden of Illness in Toronto: 2004 Summary" and directed that it be forwarded to Council for information and follow-up action as warranted in accordance with Recommendation 1.

(Report 5, Clause 1)

5.2 SARS and Public Health

Mayor David Miller presented Dr. Barbara Yaffe, Acting Medical Officer of Health, and frontline Toronto Public Health staff with a Certificate of Merit award for their "exceptional contribution in managing the SARS crisis".

The Certificate is from the Canadian Public Health Association. The CPHA recognized Toronto Public Health for controlling the outbreak and implementing "one of the largest

quarantines (13,374) in modern history” during its recent annual meeting in Newfoundland.

The Board of Health considered a publication (June 22, 2004) from the Ontario Government, titled “Operation Health Protection – An Action Plan to Prevent Threats to our Health and to Promote a Healthy Ontario”

The Board of Health also considered a draft letter from the Chair, Board of Health, addressed to the Minister of Health and Long Term Care congratulating the Minister on Operation Health Protection.

The Acting Medical Officer of Health provided a verbal update.

On motion by Councillor Mihevc, the Board of Health approved the draft letter addressed to the Minister of Health and Long Term regarding the Minister’s Operation Health Protection action plan and authorized the Chair to sign the letter and send it to the Minister on behalf of the Board.

5.3 Toronto Public Health – Operating Budget Variance Report as of April 30, 2004

The Board of Health considered a report (June 25, 2004) from the Acting Medical Officer of Health, apprising the Board of Health of Toronto Public Health's operating budget variance as of April 30, 2004; and recommending that this report be received for information.

On motion by Brian Hyndman, the Board of Health received the report (June 25, 2004) from the Acting Medical Officer of Health.

5.4 Toronto Public Health – Capital Budget Variance Report as of April 30, 2004

The Board of Health considered a report (June 25, 2004) from the Acting Medical Officer of Health, informing the Board of Health of Toronto Public Health's capital budget variance as of April 30, 2004; and recommending that this report be received for information.

On motion by Councillor Mihevc, the Board of Health received the report (June 25, 2004) from the Acting Medical Officer of Health.

5.5 Toronto’s No Smoking By-law (Municipal Code Chapter 709 Smoking) Offer of Enforcement Enhancement from the Association of Local Public Health Agencies (alPHa)

The Board of Health considered a report (June 25, 2004) from the Acting Medical Officer of Health, providing information regarding an offer from the Association of Local Public

Health Agencies (alPHa) to provide funds to enhance the enforcement of the third phase of Toronto's No Smoking By-law; and recommending that the Board of Health:

- (1) authorize the Medical Officer of Health to accept the \$268,560 in one time 100 percent funding from the Association of Local Public Health Agencies to enhance existing enforcement activities with respect to Toronto's No Smoking By-law;
- (2) amend the 2004 Toronto Public Health operating budget to include the addition of \$167,850 (gross) to the operating budget for No Smoking By-law implementation and forward this report to the Policy and Finance Committee for their information; and
- (3) authorize and direct the appropriate City officials to take the necessary action to give effect thereto.

On motion by Councillor Mihevc, the Board of Health adopted the staff recommendations in the Recommendations Section of the report (June 25, 2004) from the Acting Medical Officer of Health.

(Policy and Finance Committee; c. Acting Medical Officer of Health, Jane Speakman, Legal Services – July 14, 2004)

5.6 Peer Nutrition Program, 2004 Budget Enhancement

The Board of Health considered a report (July 5, 2004) from the Acting Medical Officer of Health, reporting back to the Board of Health on the feasibility of enhancing the Peer Nutrition Program through the 2004 Toronto Public Health Operating Budget variance; and recommending that the Board of Health:

- (1) endorse the one-time expansion of the Peer Nutrition Program to provide services to an additional 600 parents and 850 children at a cost of \$137,000 gross/\$68,500 net, to be funded through under-spending within the Toronto Public Health 2004 Operating Budget;
- (2) endorse the inclusion of a base budget expansion to the Peer Nutrition Program in the Toronto Public Health 2005 Operating Budget submission;
- (3) forward this report to Policy and Finance Committee for its consideration;
- (4) forward this report to Budget Advisory Committee for consideration during the 2005 Budget Process; and
- (5) authorize and direct the appropriate City Officials to take the necessary action to give effect thereto.

On motion by Councillor Mihevc, the Board of Health adopted the staff recommendations in the Recommendations Section of the report (June 25, 2004) from the Acting Medical Officer of Health.

(Policy and Finance Committee; Budget Advisory Committee; c. Acting Medical Officer of Health; Jane Speakman, Legal Services – July 15, 2004)

5.7 Harmonized Demolition Approvals Process

The Board of Health considered a report (July 5, 2004) from the Acting Medical Officer of Health, informing the Board of Health about the Toronto Public Health staffing implications related to the Harmonized Demolition Approvals Process administered by Urban Development Services (Buildings Division); and recommending that this report be received for information.

On motion by Councillor Mihevc, the Board of Health received the report (June 25, 2004) from the Acting Medical Officer of Health.

5.8 Organizational Review of Family Health and Healthy Lifestyles – Toronto Public Health

The Board of Health considered a communication (July 5, 2004) from the Employee and Labour Relations Committee, advising that the Employee and Labour Relations Committee on July 5, 2004:

- (1) referred the communication (June 23, 2004) from Ms. Ann Dembinski, President, CUPE Local 79, regarding the Organizational Review of the Family Health and Healthy Lifestyle, Toronto Public Health, to the Board of Health for consideration; and
- (2) advised the Board of Health of the concern expressed by the President of CUPE Local 79 regarding consultation on this matter.

The Board of Health also considered a communication (July 12, 2004) from Ann Dembinski, President, CUPE Local 79.

Ann Dembinski, President, CUPE Local 79 addressed the Board of Health.

On motion by Councillor Mihevc, the Board of Health referred the matter to Toronto Public Health Executive Management Team with a request that it meet with representatives of CUPE Local 79 with a view to working out implementation issues related to the restructuring of Family Health and Healthy Lifestyles and report back to the Board.

(Acting Medical Officer of Health; c. Jane Speakman, Legal Services; Ann Dembinski, President, CUPE Local 79; Committee Secretary, Employee and Labour Relations Committee – July 15, 2004)

5.9 Local Health Integration Networks

The Board of Health considered a news article submitted by Councillor Mihevc regarding the proposed Local Health Integration Networks.

On motion by Councillor Mihevc, the Board of Health requested the Acting Medical Officer of Health to:

- (1) assess the lessons learned for public health from other provinces that have instituted integrated health authorities; further assess the benefits/weaknesses of maintaining public health within a municipal framework;
- (2) monitor the provincial Ministry of Health's policy development related to integrated health authorities, searching for opportunities for public health input and advocacy; and
- (3) develop recommendations for the Board of Health and City Council on a possible City response.

(Acting Medical Officer of Health; c. Jane Speakman, Legal Services – July 14, 2004)

5.10 Appointment of Medical Officer of Health

On motion by Councillor Mihevc, the Board of Health recessed to meet in camera to consider a confidential report (July 12, 2004) from the Chair, Board of Health, regarding a personnel matter about an identifiable individual.

On motion by Councillor Mihevc, the Board of Health recommended that City Council adopt the recommendations in the Recommendations Section of the confidential report (July 12, 2004) from the Chair, Board of Health, which was forwarded to Members of Council under separate cover and that any discussion be held in-camera because the subject relates to personal matters about an identifiable individual.

The following recommendations contained in the report (July 12, 2004) from the Chair, Board of Health are now public and the balance of the report remains confidential, in accordance with the provisions of the Municipal Act, as it contains personal information about an identifiable individual:

Recommendations:

It is recommended that:

- (1) City Council appoint Dr. David J. McKeown to the position of Medical Officer of Health for the City of Toronto Health Unit and that this recommendation be transmitted to the provincial Minister of Health and Long Term Care for approval;
- (2) subject to the approval of the Minister of Health and Long Term Care, Dr. McKeown's appointment be effective September 7, 2004 provided that he has entered into an employment agreement with the City on or before September 6, 2004;
- (3) the Commissioner, Community and Neighbourhood Services be authorized to negotiate terms and conditions of employment based on the pro-forma employment agreement provisions previously approved and consistent with other third level senior management of the City;
- (4) authority be granted to introduce the necessary Bill in Council appointing Dr. David J. McKeown as the Medical Officer of Health for the City of Toronto Health Unit and, subject to the approval of the provincial Minister of Health and Long Term Care, that this appointment be effective September 7, 2004;
- (5) authority be granted to introduce the necessary Bill in Council rescinding the appointment of Dr. Barbara Yaffe as Acting Medical Officer of Health, effective September 7, 2004; and
- (6) the appropriate City officials be authorized and directed by Council to take the necessary action to give effect thereto.

(Report 5 Clause 2)

The Board of Health recessed to meet in camera at 3:30 p.m.

The Board of Health resumed in public session at 3:55 p.m.

The Board of Health adjourned at 4:00 p.m.