



# Decision Document

## Parks and Environment Committee

<b>Meeting No.</b>	1	<b>Contact</b>	Mary Carroll ,Committee Administrator
<b>Meeting Date</b>	Tuesday, January 23, 2007	<b>Phone</b>	416-392-7822
<b>Start Time</b>	9:30 a.m.	<b>E-mail</b>	mcarrol@toronto.ca
<b>Location</b>	Committee Room No. 1, City Hall		

*The Decision Document is for preliminary reference purposes only. Please refer to the Committee’s Report to City Council or to the Minutes for the official record.*

### *How to Read the Decision Document:*

- *recommendations of the Committee to City Council appear after the item heading and any amendments by Committee to recommendations appearing in a staff report are italicized;*
- *action taken by the Committee on its own authority does not require Council’s approval and is listed in the decision document under the heading “Decision Advice and Other Information” at the end of the item; and*
- *Declarations of Interest, if any, appear at the end of an item.*

PE1.1	Information		Transactional	
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### **Election of Vice-Chair(s)**

#### **Summary**

Election of Vice Chair(s)

#### **Decision Advice and Other Information**

The Parks and Environment Committee elected Councillor Raymond Cho as Vice Chair (Parks) and Councillor Gord Perks as Vice Chair (Environment).

PE1.2	Information		Transactional	
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### **Briefing of Parks and Environment Committee**

#### **Summary**

Presentations by Divisions on their responsibilities related to the mandate of the Parks and Environment Committee.

**Decision Advice and Other Information**

The Parks and Environment Committee received presentations from the Executive Director, Policy, Planning, Finance and Administration, and the General Manager, Parks, Forestry and Recreation, and requested:

1. the Acting Deputy City Manager:
  - a. in consultation with the Chair and the Vice Chair (Environment) of the Parks and Environment Committee, to invite local experts on air quality and climate change to the meeting of the Committee on February 20, 2007, to present their views and expertise on the components of a climate change plan for Toronto; and
  - b. to report to the Parks and Environment Committee on a review of staff and policy coordination structures of the Toronto Environment Office in light of the success of the Affordable Housing Office model to ensure better focus and coordination of City initiatives and one-stop shopping for the public;
2. the Executive Director, Policy, Planning, Finance and Administration:
  - a. to report to the Parks and Environment Committee in three months' time on future plans to work with their counterparts at the provincial and federal environmental offices, particularly in the areas of intergovernmental structures, environmental policies, joint activities, budgets and/or revenues, for example, Highway 401 (federal); the Don Valley Parkway (provincial GTA) and the Queen Elizabeth Way (QEW);
  - b. to provide the Members of the Parks and Environment Committee and any other interested Members of Council, with the City's Environmental Plan and Energy Plan and update the Environmental Plan by extracting those sections which deal specifically with climate change and air quality; and
  - c. in consultation with the Executive Director, City Planning, to report to the Parks and Environment Committee on the status of the Oak Ridges Moraine Implementation Strategy including potential for partnership with other governments;
3. the General Manager, Parks, Forestry and Recreation, to:
  - a. report to the Parks and Environment Committee:
    - i. as soon as possible on a review process for surplus school board sites and comments on the review and the committee the assessment should report to;
    - ii. in three months' time on future plans to work with their counterparts at the provincial and federal parks and environment offices, particularly in the areas of intergovernmental structure, parks and environmental

- policies and creative strategies to create a joint budget to maintain provincial and federal parks in the Greater Toronto Area;
- iii. following the completion of the 2007 budget, on a tree policy including the issues of maintenance; canopy; hazards and issues relating to heat island; and mitigation and adaptation to climate change;
  - iv. on a priority strategy for tree pruning including how staff will deal with pruning complaints from Councillors;
  - v. outlining the City playgrounds that have sufficient shade and those that are deficient in this area and to develop a strategy for shade coverage which is found deficient;
  - vi. as part of the Parks Land Acquisition report, on the uses of the parks levies and, if possible under the new *City of Toronto Act, 2006*, to expand the use to new infrastructure in parks; and
  - vii. on the establishment of a waterfront maintenance fund, as part of the development of all new waterfront parks, to be applied to those new waterfront parks which have already been developed by the Toronto Waterfront Revitalization Corporation; and
- b. provide Members of Council with the existing street tree pruning maintenance list by address and a time line on pruning for each tree.

PE1.3	ACTION		Transactional	Wards: 32
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### **Tuggs Incorporated Investment Proposal for Redevelopment of the Eastern Beaches Food Service Facilities**

(January 9, 2007) report from General Manager, Parks, Forestry and Recreation, and the Deputy City Manager and Chief Financial Officer

#### **Committee Recommendations**

The Parks and Environment Committee recommends:

1. based on Council direction and a review, that the proposal from Tuggs Incorporated be accepted with the following additional conditions, and further clarification as follows:
  - i. the proponent's capital improvements valued at a minimum of \$2.15 million be completed by January 1, 2009;

- ii. Tuggs and the City will identify a state of good repair program for the physical assets and Tuggs will be responsible to ensure the program is implemented and be responsible for the full costs to do so;
  - iii. the City will pre-approve any sponsorship activities that Tuggs proposes, and there will be no conflict with any City contracts or programs related to sponsorship;
  - iv. any signage *of a permanent nature* to be installed on the renewed assets must have prior City approval;
  - v. effective January 2018, the rent revenue shall be *reviewed and* recalculated at five- year intervals at a fair market rent on such terms to be agreed to by the parties or established by arbitration to be set out in the lease agreement;
  - vi. *the City will have the final approval of the use of the \$200,000.00 “allowance for development costs” as outlined in years 2007 – 2008 of the Capital Investment Summary Section 3.1 of the Tuggs proposal and said funding is to be used within Woodbine Beach Park; and*
  - vii. subject to the receipt and review of a detailed business plan, including financial forecasts, evidence of financing, a marketing plan, and a partnership plan between the City and the proponent, to the satisfaction of the Deputy City Manager and Chief Financial Officer, and the General Manager of Parks, Forestry and Recreation;
2. *staff be authorized to negotiate and enter into a new agreement with Tuggs Incorporated to finalize a 20-year agreement with the City in accordance with the additional conditions outlined in Recommendation 1. above and the terms outlined in the unsolicited proposal to the satisfaction of the General Manager of Parks, Forestry and Recreation, and in a form satisfactory to the City Solicitor by July 2007; and*
  3. no other unsolicited proposals be entertained by the City until a policy review and revised practice to be prepared by the City Treasurer is adopted by City Council to deal with unsolicited proposals.

### **Financial Impact**

The acceptance of the proposal will result in Tuggs paying the City a combination of flat land rent, a percentage of sponsorship revenue, and capital contributions to refurbish and expand the facility. It must be clearly noted that the sponsorship revenue indicated in the proposal is a “potential” source of revenue and should not be considered as minimum revenue.

The final agreement will have to outline the types of sponsorships, the physical

area concerned, and ensure there are no conflicts with other sponsorships the City already has in place. It will also have to reflect the following key points:

- i. Tuggs and the City will identify a state of good repair program for the physical assets; and Tuggs will be responsible to ensure the program is implemented and be responsible for the full costs to do so;
- ii. Any signage to be installed on the renewed assets must have prior city approval;
- iii. Effective January 1, 2018, the rent revenue shall be recalculated at five year intervals at a fair market rent for such terms as agreed to by the parties or established by arbitration to be set out in the lease agreement. Based on this review the basic rent structure could be amended; and
- iv. the City will have final approval of the use of the “allowance for development costs” of \$200,000 as outlined in years 2007-2008 of the Capital Investment Summary Section 3.1 of the proposal.

Over the 20-year period Tuggs proposes to pay the City \$5.75 million in land rent; spend \$2.15 million in capital facility upgrades and expansion to improve service; and possibly donate funding for community improvements. In addition Tuggs proposes to pay to the City 20% of any sponsorship revenues that may be developed or \$0.025 million per year (escalates to \$0.050 million starting in 2018) whichever is greater.

The value of improvements proposed for the fixed assets would benefit sales and justify the higher rents proposed. Tuggs has been advised that their information will be made public in this report.

The payment structure submitted in the proposal is as follows.

Period	Base Rent Revenue	Potential Sponsorship Revenue
2007	\$210,000*	Nil
2008-2012	\$250,000	The greater of 20% of revenue or a minimum of \$25,000
2013-2017**	\$275,000	The greater of 20% of revenue or a minimum of \$25,000
2018-2022	\$300,000	The greater of 20% of revenue or a minimum of \$50,000
2023-2027	\$325,000	The greater of 20% of revenue or a minimum of \$50,000

\*Rent Payable in FY 2007 of \$210,000 is based on the existing agreement that will expire on September 14, 2007

\*\* The proposed base rent revenue escalations provided in the

initial Tuggs proposal, at five-year intervals, equate to approximately 1.5% annual increases over the 20-year term. Note this report recommends that the base rent escalations be reviewed in 2018, which could result in base rent amounts varying from those listed in the table.

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

### Summary

This report responds to City Council's direction that the proposal from Tuggs Incorporated (Tuggs) for the redevelopment of the eastern beaches food service facilities be accepted subject to a review of the proposal and submission of a report to the successor committee of the Economic Development and Parks Committee.

Staff advised both Committee and City Council in 2006 not to accept the Tuggs proposal as the City policy is not to accept unsolicited proposals to ensure that the best price possible is obtained through a competitive process. The Purchasing and Materials Management Division continues to prefer to have a public Request for Proposals issued to ensure that the best possible value is obtained by the City. City Council, however, accepted the proposal from Tuggs at the September 2006 Council meeting subject to staff review of the proposal and report back to Committee/Council. Staff had to use a set of internal criteria to review the proposal as there is no comparative information available to base the review upon. The final result of the review is that the Tuggs proposal be accepted subject to obtaining additional information outlined in the report and, provided that the information provides assurances sought, that staff be authorized to finalize a 20-year extension to the current Tuggs agreement with the City in accordance with the conditions outlined and the terms outlined in the unsolicited proposal.

### Background Information

2007-PE01-03

<http://www.toronto.ca/legdocs/mmis/2007/pe/bgrd/backgroundfile-637.pdf>

PE1.4	ACTION		Transactional	Wards: 2, 3, 4, 5, 11, 13, 22, 25, 26, 27
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### Control of European Gypsy Moth Outbreak in some Areas of the City of Toronto

(December 20, 2006) report from General Manager, Parks, Forestry and Recreation

### Committee Recommendations

The Parks and Environment Committee recommends that:

1. the General Manager of Parks, Forestry and Recreation, implement in nine Wards (2,

- 3, 4, 5, 13, 22, 25, 26 and 27) an Integrated Pest Management (IPM) program involving aerial spray of a biological control agent, ground-based spray and mechanical egg mass removals; such program to include both City and privately-owned trees, to control the larval stage of the European gypsy moth which causes defoliation of trees;
2. the General Manager of Parks, Forestry and Recreation, implement a communications program, in consultation with Councillors in Wards 2, 3, 4, 5, 13, 22, 25, 26, and 27; Parks, Forestry and Recreation Communications; and Toronto Public Health, to inform and educate residents within all known areas of European gypsy moth infestation on:
    - a. IPM methods which can be initiated by homeowners to control this invasive pest; and
    - b. the aerial and ground-based spray program of *Bacillus thuringiensis* subspecies *kurstaki* (Btk) initiated by the City of Toronto;
  3. the General Manager of Parks, Forestry and Recreation, consult with Public Health, the Transportation Division and Toronto Police Service to coordinate the implementation of the proposed aerial and ground-based application of the biological control agent Btk;
  4. the General Manager of Parks, Forestry and Recreation, continue to monitor the population of the European gypsy moth City-wide and the effectiveness of the control measures applied in Wards 2, 3, 4, 5, 13, 22, 25, 26 and 27 and report back to the Parks and Environment Committee in December 2007 on the further recommendations for control in 2008, if required;
  5. the City Solicitor be authorized to introduce a bill to implement a control strategy for gypsy moth infestation through ground-based and aerial spraying;
  6. the General Manager of Parks, Forestry and Recreation, coordinate a process with City Finance whereby a portion of the cost for applying spray can be collected from residents to help offset the cost of the control measures;
  7. *the General Manager of Parks, Forestry and Recreation, send out educational literature to all residential properties located in gypsy moth survey areas, including:*
    - coloured pictures to describe the gypsy moth;*
    - information encouraging residents to remove and destroy all reachable egg masses;*
    - IPM prevention and maintenance techniques; and*
    - history of the City's action to date; and*
  8. the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

**Financial Impact**

Urban Forestry intends to re-allocate about \$150,000.00 of its 2007 operating budget to implement a gypsy moth control program and, as a result, there will be service implications equivalent to about 575 fewer service orders being completed.

It may be possible to recover some costs from private residents that receive the benefit of the aerial spray program. In 2006, Mississauga recovered about 50% of the cost of spraying through voluntary payments from private land owners.

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

**Summary**

The purpose of this report is to describe the presence of confirmed outbreak levels of the European gypsy moth in some areas of the City of Toronto. Background information describes past approaches for control.

This report recommends control options including aerial and ground based spray of a biological control agent. Aerial spray is proposed in Wards 3 and 4 and ground-based spray is proposed in Wards 2, 5, 22, 25, 26 and 27; and physical egg mass removal by vacuum is proposed in Wards 13 and 25. Public consultation will be done in consultation with Councillors and Toronto Public Health. It is expected that this control strategy will reduce the gypsy moth population and expected levels of defoliation to avoid decline or demise of City trees. Urban Forestry intends to re-allocate some of its 2007 operating budget to address this issue and there will be some service implications. Urban Forestry also recommends that residents be asked to contribute to the cost of spraying private trees through voluntary payments.

**Background Information**

2007-PE01-04

<http://www.toronto.ca/legdocs/mmis/2007/pe/bgrd/backgroundfile-721.pdf>

**Decision Advice and Other Information**

The Parks and Environment Committee requested the General Manager, Parks, Forestry and Recreation, to report to the Committee exploring the possibility of setting up a gypsy moth control and education fund to receive contributions from local residents and from across the City.

**4a Control of Gypsy Moth Outbreak in some Areas of the City of Toronto**

(January 18, 2007) letter from Councillor Doug Holyday, Ward 3, Etobicoke Centre

**Summary**

Supporting the staff recommendations and suggesting that City Council declare the gypsy moth to be a public nuisance and a hazard and that public information meetings be held to explain the



spraying process to area residents.

### Background Information

2007-PE01-04a

(<http://www.toronto.ca/legdocs/mmis/2007/pe/bgrd/backgroundfile-961.pdf>)

PE1.5	Information		Transactional	
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### Parks, Forestry and Recreation 2007 Capital Budget Request

(September 15, 2006) letter from Economic Development and Parks Committee

#### Summary

The Economic Development and Parks Committee on September 12, 2006, referred the following communications to the appropriate successor Committee dealing with these matters:

1. (July 26, 2006) addressed to the Economic Development and Parks Committee from the Toronto Cycling Committee with funding requests affecting the Parks, Forestry and Recreation 2007 Capital and Operating Budgets; and
2. (September 6, 2006) addressed to the Economic Development and Parks Committee from Councillor Adam Giambrone, Chair, Toronto Cycling Committee, explaining and modifying the request from the Toronto Cycling Committee.

### Background Information

2007-PE01-05

(<http://www.toronto.ca/legdocs/mmis/2007/pe/bgrd/backgroundfile-703.pdf>)

2007-PE01-05-01

(<http://www.toronto.ca/legdocs/mmis/2007/pe/bgrd/backgroundfile-704.pdf>)

2007-PE01-05-02

(<http://www.toronto.ca/legdocs/mmis/2007/pe/bgrd/backgroundfile-705.pdf>)

### Decision Advice and Other Information

The Parks and Environment Committee referred this matter to the Budget Committee for consideration in the 2007 budget, noting that the Committee supports the Toronto Bicycle Plan, and to the General Manager, Parks, Recreation and Forestry, for consideration in 2008.

### Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2007-01-23	Morning	9:35 AM	12:30 PM	Public
2007-01-23	Afternoon	1:40 PM	3:50 PM	Public