



# Decision Document

## Parks and Environment Committee

<b>Meeting No.</b>	12	<b>Contact</b>	Dela Ting, Acting Administrator
<b>Meeting Date</b>	Wednesday, January 16, 2008	<b>Phone</b>	416-397-7769
<b>Start Time</b>	9:30 AM	<b>E-mail</b>	pec@toronto.ca
<b>Location</b>	Committee Room 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*
- *Any amendments by Committee to recommendations appearing in a staff report are italicized.*
- *Other action taken by the Committee on its own authority, which does not require Council’s approval, is listed in the decision document under the heading “Decision Advice and Other Information”.*
- *Declarations of Interest, if any, appear at the end of an item.*

*Minutes Confirmed – November 28 ,2007.*

PE12.1	Presentation	Received		
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**Agencies, Boards, Commissions, Corporations and Divisions (ABCCDs) Presentations - Healthy City: Reducing the City's Environmental Impact**

**Decision Advice and Other Information**

The Parks and Environment Committee:

1. requested the Director, Toronto Environment Office, to look at strategic messages for ‘Environment Days’ to be used to promote the City of Toronto’s environmental initiatives; and
1. received the rest of the presentation for information from Norman Lee, Acting Director, Policy and Planning, Solid Waste Management Services, with thanks;

## Summary

Presentation from Solid Waste Management Services Division

PE12.2	ACTION	Adopted		Ward: All
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### **National Pollutant Release Inventory: Toronto's 2005 Annual Report**

(November 14, 2007) Report from Deputy City Manager Richard Butts

### **Committee Recommendations**

The Parks and Environment Committee recommends that:

1. City Council request the City Manager to direct all City of Toronto Agencies, Boards, Commissions, Corporations and Divisions to provide their submitted reports to the National Pollutant Release Inventory, Ontario Ministry of the Environment (Ontario Regulation 127/01) and Statistics Canada (respecting Greenhouse Gas Emissions), as applicable, or all relevant equivalent data if they are below reporting thresholds to the Toronto Environment Office for summary and inclusion in subsequent annual reports; and
2. City Council direct the Director of the Toronto Environment Office to:
  - i. establish a liaison process with all City of Toronto Agencies, Boards, Commissions, Corporations and Divisions in connection with the provision of reports and data cited in Recommendation 1, including a template to provide for consistent provision of information;
  - ii. collaborate with Toronto Public Health to complete the development process for a National Pollutant Release Inventory annual report template with the group of experts who have been engaged to provide comment and feedback on the annual reporting process and utilize the template for the design of Toronto's 2006 Annual National Pollutant Release Inventory Report;
  - iii. collaborate with Toronto Public Health in a joint reporting process for future annual reports; and
  - iv. proceed to issue an "executive summary" of Toronto's Annual Report in connection with the National Pollutant Release Inventory for 2005, which will be designed for the general public.

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

The Parks and Environment Committee requested that any new resources for modelling studies and emissions reporting include funding for Toronto Public Health to undertake the health assessment component of these initiatives.

## Financial Impact

There is no financial impact, the estimated cost to produce the annual report is \$13,500 and funding can be accommodated within 2007 Toronto Environment Office (TEO) Operating Budget and requested 2008 TEO Base Operating Budget as per the details provided in the table below.

Cost Centre	Description	2007	2008
WT0059	Air Quality, Data Collection and Modelling	\$3,500	\$10,000

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

## Summary

The National Pollution Release Inventory (“NPRI”) is Canada’s national database containing information on annually collected data of releases of substances to the air, land and water by major industrial facilities, such as chemical plants, and public works facilities, such as the City of Toronto’s Ashbridges Bay Treatment Plant. It is Canada’s only national, legislated, publicly accessible emissions inventory. Data specific to certain industries and communities can be identified and collated from the inventory.

The NPRI inventory is a major starting point for identifying and monitoring sources of pollution and for the management of risks to the environment and human health, as well as monitoring indicators for the quality of our air, land and water. It is also emerging as an indicator for corporate environmental performance and as a tool to encourage and promote pollution reduction.

Environment Canada makes the information available to Canadians in a detailed inventory that can be accessed and searched through its on-line database.

This report focuses on those industrial and public works facilities that are located in Toronto and submitted emissions data to Environment Canada in 2005. The year 2005 is the most recent year for which a complete and verified set of inventory data is available.

In addition to identifying quantities of emissions to air, water and land from industrial sources and City corporate sources for 2005, this report provides comparative analysis with prior years to show trends, and identifies emission increases and decreases for specific substances found within the reported emissions.

## Background Information

Staff Report from Deputy City Manager Richard Butts

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9217.pdf>

Map 1

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9212.pdf>

Map 2

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9213.pdf>

Map 3

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9214.pdf>

Map 4

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9215.pdf>

Map 5

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9216.pdf>

## **2a Assessing Health Impacts of Pollution Emissions**

(November 14, 2007) Report from Medical Officer of Health

### **Financial Impact**

There are no direct financial implications arising from the adoption of this report.

### **Summary**

This report responds to the request of the Medical Officer of Health to advise on reporting and assessment of pollution emissions by the Toronto Environment Office (TEO) to enable Toronto Public Health (TPH) to assess the health effects of emissions.

TPH uses modelling studies to assess the health impacts of pollutants from specific sources. Most recently, TPH used modelling data on vehicle emissions from TEO to quantify the health impacts of traffic pollution. In response to a request from the Board of Health in July 2005, TEO is planning to model the cumulative impacts of air releases in South Riverdale and the Beach. TPH could use the results of this modelling activity to assess health implications if TEO provides resources to conduct the study.

To get the most value from modelling activities and emissions inventories, it is necessary to include a health assessment component. It is recommended that any new resources for modelling studies, include funding for TPH to undertake the health assessment component.

TEO reports on the amount of specific pollutants released to air, water, and soil as reported by the federal National Pollutant Release Inventory (NPRI). Currently about 11,000 businesses in Toronto may be using toxic chemicals but only about 300 report to the federal NPRI, resulting in large gaps in the city's emissions inventory. The Board of Health requested the Medical Officer of Health to report in the spring of 2008 on a mandatory environmental reporting program, including development of a draft bylaw. If a reporting bylaw comes into effect, TPH should take a leading role in the compilation of pollution release data from point sources in Toronto, as well as assess the implications for human health.

### **Background Information**

Staff Report from Medical Officer of Health

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9272.pdf>

PE12.3	ACTION	Amended		Ward: All
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## **Tree By-law Amendments City of Toronto Municipal Code, Chapter 813 (Public Notice)**

(December 17, 2007) Report from General Manager, Parks, Forestry and Recreation

### **Committee Recommendations**

The Parks and Environment Committee recommends that:

1. City Council authorize the City Solicitor to introduce a Bill amending Chapter 813, Articles II and III and Chapter 441, Fees, of the City of Toronto Municipal Code, as outlined in Attachment 1 of the report (December 17, 2007) from the General Manager, Parks, Forestry and Recreation, subject to amending:
  - i. Article II, Section 813.3.1 - Definitions, by replacing the words “Director, Urban Forestry or his or her delegate” with “General Manager, Parks, Forestry and Recreation or her or his delegate”;
  - ii. Article III, Section 813.9.7 – Definitions, by replacing the words “The Commissioner of Economic Development, Culture and Tourism or his or her delegate” with “General Manager, Parks, Forestry and Recreation or her or his delegate”;
  - iii. Fee Structure Changes - Proposed Amendments to Chapter 441 Fees, by adding the word “healthy” after the word “remove”, so that it reads as follows:
 

“A new \$300.00 per tree fee is proposed for requests for permission to remove healthy City-owned trees.”
  - iv. Article III, Section 813.12.13 - Applications; form and content – by replacing with the following paragraphs:
 

“The private tree by-law application fee is not applicable to the not-for-profit portion of housing projects undertaken by the Toronto Community Housing Corporation, Habitat for Humanity, and other similar recognized not-for-profit housing organizations, substantially as set out in Clauses 1-4 of subsection 7(1) of the Residential Tenancies Act, 2006, and owners living below the low-income cut off as determined by Statistics Canada.

That wording of the by-law amendment shall be subject to such necessary minor substantive or stylistic refinements as may be identified by the General Manager of Parks, Forestry and Recreation and the City Solicitor.”
  - v. Article III, Section 813.17.16 – Notice, so that:
    - a. the requirement to post notice and Councillor consultation for the

- injury/destruction of trees if plans already have been approved by the Ontario Municipal Board, City Councillor, Committee of Adjustment continue unless the tree removal of each specific tree has been properly authorized by those regulatory bodies;
- b. the posting of a notice to allow for community input continue where trees are growing on top of (or beside) underground parking structures;
  - c. the present procedure for injury/removal of trees in cemeteries' day-to-day operations continue as at present; and
  - d. the present opportunity for residents to submit written objections to Urban Forestry in regards to notice (to injure/remove) continue.
- vi. Article II, Section 813.8.5 B(1)- Offences and in Article III, Section 813.23.17.B(1) - Offences; additional remedies, by deleting the words, “per tree” at the end so that it reads as follows:
- “B.(1) To a minimum fine of \$500.00 per tree and to a maximum fine of \$100,000.00.”; and
- vii. Fee Structure Changes - Proposed Amendments to Chapter 441 Fees, by deleting the following paragraph:
- “A new \$50.00 flat fee is proposed to cover the cost of reviewing requests for exemption from the private tree by-law when a site inspection is required.”

### Decision Advice and Other Information

The Parks and Environment Committee referred the proposal for a new \$50.00 flat fee for site visits to cover the costs of reviewing requests for exemption from the Private Tree By-law to the General Manager, Parks, Forestry and Recreation, for further consideration with a request that she report back to the Parks and Environment Committee.

### Financial Impact

Approval of the recommendation in this report and the adoption of a new fee schedule for City of Toronto Municipal Code, Chapter 813, will have the following additional revenue impact to be considered within the overall 2008 Parks, Forestry and Recreation Operating Budget.

	2008	2009 Annualization	Total
Revenue	\$149,888	49,963	\$199,851

The new fee schedule proposed is as follows:

Fee	Trees on City Streets By-law (Article II)	Private Tree By-law (Article III)
Non-construction related application	N/A	\$100/tree (no maximum)
Construction related application	N/A	\$300/tree (no maximum)
Site inspection for exemption request	N/A	\$50 (flat fee)
City street tree removal request	\$300/tree (no maximum)	N/A

Currently, there are no fees associated with Article II (Trees on City Streets By-law). Urban Forestry is proposing a new \$300/tree application fee that would accompany any request for permission to remove a healthy City-owned tree.

A new fee for Article III (Private Tree By-law) is proposed. A \$50 flat fee for the review of requests for exemption from the private tree by-law will be imposed when a site inspection is required.

Application fees have been charged under the private tree by-law since it was harmonized in September 2004. The current \$100/tree fee for non-development related applications will remain the same with the \$300 maximum removed. The current \$200/tree fee for development related applications will be increased to \$300/tree.

It is anticipated that the proposed new fee structure will generate additional revenue of approximately \$200,000 annually.

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

## Summary

City of Toronto Municipal Code, Chapter 813, provides for the protection of City-owned street trees and trees on private property. The trees on city streets by-law (Article II of Chapter 813) provides protection for the City's street tree population. The private tree by-law (Article III of Chapter 813) has been in effect citywide since September 2004. Experience with both by-laws has highlighted some areas where refinement is needed to improve their effectiveness and allow for better service to the public.

This report identifies changes that will strengthen the by-law for trees on city streets and private trees and result in improved processing of applications and inspection of potential by-law infractions. Additional revenue will be generated if the proposed adjustments to the fee schedule are adopted.

## Background Information

## Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9619.pdf>)

**3a Tree By-law Amendment**

(January 11, 2008) Letter from Deputy Mayor Joe Pantalone

**Summary**

Forwarding amendments for the protection of City-owned street trees and trees on private property.

**Background Information**

Letter from Deputy Mayor Joe Pantalone

(<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9869.pdf>)

PE12.4	ACTION	Adopted		Ward: All
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**Forest Health Care - Invasive Exotic Pests**

(December 17, 2007) Report from General Manager, Parks, Forestry and Recreation

**Committee Recommendations**

The Parks and Environment Committee recommends that:

1. City Council communicate the concerns about the Asian Long-Horned Beetle, through the City Clerk, to the Honourable Donna Cansfield, Minister of Natural Resources, and to the Honourable Gerry Ritz, Minister of Agriculture and Agrifood, responsible for the Canadian Food Inspection Agency, and that the Federal Government be requested to maintain or increase financial support for the ALHB eradication program in the Toronto area;
2. City Council communicate the concerns about the Emerald Ash Borer, through the City Clerk, to the Honourable Gerry Ritz, Minister of Agriculture and Agrifood, responsible for the Canadian Food Inspection Agency, and that the Federal Government be requested to quickly implement regulations to control the spread of Emerald Ash Borer to give private industry and the City time required to develop and implement mechanisms needed to process the landscape waste within the regulated zones, as well as to develop public awareness programs;
3. Facilities and Real Estate Division staff work with Solid Waste Management Services staff to identify yard space available to process infested wood and yard waste;
4. Solid Waste Management Services staff work with Urban Forestry staff to review the issue of increased volume of wood waste associated with ash tree removal, to determine appropriate use of end product;



5. Urban Forestry staff implement, if determined necessary in outbreak areas of Gypsy Moth infestation, in 9 Wards (4, 7, 8, 9, 13, 25, 26, 27 and 29) an integrated pest management (IPM) program involving aerial and ground spray of a biological control agent, *Bacillus thuringiensis* subspecies *kurstaki* (Btk), 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;
6. Urban Forestry staff consult with Toronto Public Health, Transportation Division and Toronto Police Services to coordinate the implementation of the proposed aerial and ground-based application of the biological control agent Btk;
7. The City Solicitor be authorized to introduce a bill to implement a control strategy for gypsy moth infestation through ground based and aerial spraying;
8. Finance Division assist Urban Forestry staff in billing and collection of voluntary payments from residents to offset a portion of the cost of the control measures for Gypsy moth;
9. City Council authorize staff to enter into sole source contracts with Zimmer Air to conduct aerial spray operations and with Bioforest Technologies to coordinate the aerial spray program, as part of the overall gypsy moth control program; and
10. The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

### **Financial Impact**

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

### **Summary**

This report reviews issues associated with three invasive exotic tree pests currently found in Toronto.

Asian Long-horned Beetle was first found in Ontario in 2003, when it was identified on both sides of the border between Toronto and Vaughan. Since then the Canadian Food Inspection Agency (CFIA) has implemented a control program aimed at eradication. This report provides an update on the eradication program, including recently revised protocols. More tree cutting and more intensive surveys are proposed to ensure eradication goals are achieved.

Emerald Ash Borer was first found in Ontario in 2002 when it was identified on both sides of the border between Windsor and Detroit, U.S.A. Since then, the CFIA has worked to control the spread of the pest through regulation and a strategy of cutting a firebreak in advance of the easterly spreading front. This report gives an update on the currently known EAB infested areas and describes the current spread of the pest to Toronto and the CFIA's and Urban Forestry's response with regard to tree removal services and processing of wood waste in regulated zones.

Gypsy moth is an invasive alien pest that was first found in Ontario in 1969 and whose

population fluctuates in relation to environmental and biological controls. Outbreak population levels were found in parts of Toronto in 2006. Aerial and ground spray of a biological pesticide was used to control pockets of infestation in 2006 and 2007. The results of the control program are described along with the proposed control program for 2008.

Ensuring the protection of healthy trees is an essential adaptation strategy to mitigate rapid climate change, for protection of human health and ecosystem health. The presence of invasive exotic pests continues to impact the health of the urban forest, and has potential to significantly increase tree mortality and maintenance requirements in future. A dedicated fund is required to ensure adequate resources are applied to invasive alien pest control, as well as to minor pests such as Eastern Tent Caterpillar.

### Background Information

Staff Report

<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9640.pdf>

PE12.5	ACTION	Amended		Ward: 20
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### Purchase Order Amendment to Somerville Construction P.O. 6017578: HtO Park

(December 14, 2007) Report from General Manager, Parks, Forestry and Recreation and Director, Purchasing and Materials Management Division

### Committee Recommendations

The Parks and Environment Committee recommends to City Council that:

1. authority be granted to amend Purchase Order No. 6017578 issued to Somerville Construction for the construction of HtO Park by an additional \$81,042.33 (net of GST).

### Decision Advice and Other Information

The Parks and Environment Committee requested the General Manager, Parks, Forestry and Recreation, to report to the April 15, 2008 meeting of the Parks and Environment Committee, on environmental features that may have been deleted from the HtO contract and strategies for including those features in future projects.

### Financial Impact

This \$81,042.33 (net of GST) is required to pay out the remaining value of the Purchase Order Amendment. The “Harbourfront Park Development 2206-07” capital account (CPR117-35-03) has a current balance of \$62,610.00 in uncommitted funds. The remaining \$18,432.33 (net of GST) required will be funded from the “South District Parks Rehabilitation” capital account (CPR 117-37-07). The funding will not increase debt.

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 obtain approval to amend Purchase Order number 6017578 issued to Somerville Construction for the construction of HtO Park in the amount of \$81,042.33 (net of GST) in order to compensate for an increase in the Purchase Order value. This will be the second amendment to this contract. This Purchase Order Amendment is required to address changes in scope of construction due to unforeseen, adverse site conditions, such as removal of buried industrial structures, soil contaminants, and deteriorated dock wall conditions. The first amendment was for \$426,756.39 (net of GST) and was within the limits delegated to staff as outlined in the Municipal Code, Chapter 71 – Financial Control. The combined value of the first amendment and this new amendment is \$507,798.72 (net of GST), which requires Committee approval. The entire revised total of the Purchase Order will be \$9,721,398.72 (net of GST).

## Background Information

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9618.pdf>)

PE12.6	Information	Received		Ward: All
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## Toronto Environment Office 2008 Achievables

(January 2, 2008) Report from Richard Butts, Deputy City Manager (Cluster B)

## Decision Advice and Other Information

The Parks and Environment Committee received, for information, the (January 2, 2008) report from Deputy City Manager Richard Butts.

## Summary

This report identifies the Toronto Environment Office's major achievables for 2008 and associated performance measures, in response to a request for this information by the Parks and Environment Committee.

The achievables are grouped under three sub-headings that reflect the three major staff teams and areas of responsibility within the newly organized Toronto Environment Office. The sub-headings are: - Implementation and Support; - Research and Policy Development; and - Partnerships and Innovations.

## Background Information

Staff Report

(<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9816.pdf>)

PE12.7	ACTION	Amended		
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### Terms of Reference - Task Force to Bring Back the Don

(November 21, 2007) Letter from Task Force to Bring Back the Don

#### Committee Recommendations

The Parks and Environment Committee recommends that:

1. City Council approve the amended Terms of Reference for the Task Force to Bring Back the Don, as outlined in the communication (November 21, 1007) from the Task Force to Bring Back the Don, subject to:
  - a. deleting the sentence “Quorum shall be 9 members” in paragraph 6 - Quorum and Attendance, and replacing with the following:
 

“A quorum is 50 percent of the community members;

    - Members of Council appointed to the Task Force will be counted to make up quorum if they are present;
    - A vacant position will not be counted to calculate quorum.”

#### Summary

Forwarding to City Council the amended Terms of Reference for the Task Force to Bring Back the Don

#### Background Information

Terms of Reference for the Task Force to Bring Back the Don  
<http://www.toronto.ca/legdocs/mmis/2008/pe/bgrd/backgroundfile-9813.pdf>

#### Communications

(January 15, 2008) e-mail from John P. Wilson, Chair, Task Force to Bring Back the Don (PE.Main.PE12.7.1)

#### Meeting Sessions

Session Date	Session Type	Start Time	End Time	Public or Closed Session
2008-01-16	Morning	9:40 AM	11:15 AM	Public