

**THE CITY OF TORONTO**

**City Clerk's Division**

**Minutes of Board of Health**

**Meeting No. 4**

**Monday, April 8, 2002**

The Board of Health held met on Monday, April 8, 2002 in Committee Room No. 1, 2<sup>nd</sup> Floor, City Hall, Toronto, commencing at 1:12 p.m.

Members Present:

Councillor Joe Mihevc, Chair	x
Councillor Sandra Bussin	
Ms. Helen Chan	x
Councillor John Filion	x
Mr. Brian Hyndman	x
Councillor Irene Jones	x
Mr. Brian MacKay	x
Dr. Rosana Pellizzari	
Ms. Nancy Peters	x
Councillor Jane Pitfield	x
Trustee Mark Stefanini	x
Councillor Michael Tziretas	x
Mr. Lee Zaslofsky	x

Also Present:

Ms. Fiona Nelson

Councillor Mihevc in the Chair.

**Confirmation of Minutes.**

On motion by Mr. MacKay, the Minutes of the meetings of the Board of Health held on January 28, 2002 and February 18, 2002 were confirmed.

#### **4.1 Strategy to Achieve a Phase-Out of Non-essential Outdoor Uses of Pesticides.**

The Board of Health had before it a report (March 21, 2002) from the Medical Officer of Health, providing an update on activities related to the development of a strategy to reduce non-essential outdoor pesticide use on private property for the City of Toronto, enclosing a discussion document and background information; advising that there are no financial implications and recommending that:

- (1) the Board of Health forward this report and all attached documents to the Works Committee; the Economic Development and Parks Committee; the Planning and Transportation Committee; the Pesticide Reference Group and the Toronto Interdepartmental Environment (TIE) Pesticides Subcommittee for their information;
- (2) the Medical Officer of Health report back to the Board of Health and City Council on the outcome of the public consultation process; and
- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Board of Health also had before it the following:

- (i) report (March 19, 2002) from the Medical Officer of Health, responding to the Board of Health inquiries regarding (a) pesticide use on the properties of three Toronto School Boards, (b) the impact of smog alert days on work schedules during the grass cutting season, (c) the use of wildflowers and sea-grasses on boulevards as alternatives to pesticide use, (d) to pursue some form of organic lawn care treatment for City properties and (e) provide an update from the provincial Minister of the Environment on Ontario's assessment of the Supreme Court of Canada's ruling on the Town of Hudson's pesticide use by-law; advising that there are no financial implications resulting from the adoption of this report; and recommending that this report be received for information;
- (ii) confidential report (March 18, 2002) from the City Solicitor, regarding municipal authority to regulate the sale of pesticides (having regard that the subject matter relates to solicitor/client privilege);
- (iii) communication (March 6, 2002) from the City Clerk, Children and Youth Action Committee, recommending that City Council expand its by-law controlling pesticide use on public lands to all uses within city limits, due to the documented intergenerational damage caused by these chemicals;

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- (iv) communication (March 26, 2002) from M. Janet Kasperski, Executive Director, The Ontario College of Family Physicians, expressing support for a by-law to phase-out the non-essential outdoor uses of pesticides in Toronto;
- (v) communication (April 3, 2002) from the Program Co-ordinator, Toronto Environmental Alliance, forwarding approximately 104 letters in support of a by-law to phase-out the non-essential use of pesticides in Toronto;
- (vi) communication (April 3, 2002) from Lorraine Johnson, expressing support for a by-law to phase-out the non-essential outdoor uses of pesticides in Toronto;
- (vii) communication (April 3, 2002) from Clayton C. Ruby, expressing support for a by-law to phase-out the non-essential outdoor uses of pesticides in Toronto;
- (viii) communication (April 8, 2002) from Toronto Environmental Alliance, providing recommendations to the Board of Health on a strategy to achieve a phase-out of non-essential outdoor uses of pesticides;
- (ix) communication (April 8, 2002) from Dr. Hilary de Veber, Pediatrician, expressing support for a by-law to phase-out the non-essential outdoor uses of pesticides in Toronto; and
- (x) communication (March 31, 2002) from Margaret Atwood and Graeme Gibson, expressing support for a by-law to phase-out the non-essential outdoor uses of pesticides in Toronto.

The following persons appeared before the Board of Health in connection with the foregoing matter:

- Sharon, Lois and Bram;
- Gideon Forman, Vice-President, Strategic Communications Inc. and submitted a written brief;
- Marcie Goldman, on behalf of Parents Environmental Network and students from Claude Watson School for the Arts, Environmental Group
- Kim Jarvi, on behalf of the Registered Nurses Association of Ontario, and submitted a written brief;
- Barbara Hall;
- Robin Sarafinchan, and submitted a written brief;
- Janice Merson, President, Summerhill Residents Association, and submitted a written brief;
- Lorraine Van Haastrecht, Dr Green Lawn Services and on behalf of Toronto Environmental Coalition (TEC) and submitted a written brief;
- Douglas Counter, and submitted a written brief;
- Alan White, IPM;

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- John Howard, Executive Director, Ontario Parks Association, and submitted a written brief;
- Tony DiGiovanni, IPM Council and Landscape Ontario, and submitted a written brief;
- Roger Mongeon, on behalf of Environmental Coalition of Ontario;
- Jill Fairbrother, Director of Stakeholder Relations, Scotts Canada, and submitted a written brief;
- Dan Passmore, Frechette Lawn Care;
- Michael Goldman, Structural Pest Management Association of Ontario and on behalf of Integrated Pest Management Council of Ontario;
- Kyle Tobin, Lawnsavers;
- Liz White, Animal Alliance of Canada, and submitted a written brief;
- Darcy Olds, Integrated Pest Management Council of Ontario;
- Terri Yamada, Royal Canadian Golf Association, and submitted a written brief;
- Janet May, Pesticide Free Ontario;
- Colette Boileau, Organic Landscape Alliance;
- Kimberly Bates, Executive Director, Urban Pest Management Council, and submitted a written brief;
- Stephen Best, Director, Environment Voters;
- Rich Whate, Toronto Environmental Alliance, and submitted a written brief; and
- Hamish Wilson.

Councillor Frances Nunziata was also present during discussion of this matter.

Councillor Jones moved:

- A. That the Board of Health reiterate its support, in principle, for by-laws restricting pesticide use to protect public health.

Councillor Pitfield moved:

- B. That the report (March 21, 2002) from the Medical Officer of Health be adopted, and further, that the Medical Officer of Health be requested to supplement the public discussion document with a description of by-law options to aid the public consultations on the nature and scope of the by-law.

Councillor Tziretas moved:

- C. That the foregoing motion by Councillor Pitfield be amended to provide that the Medical Officer of Health provide a definition of cosmetic or non-essential use of pesticides; and
- D. That the proposed public consultation meetings also be held at the York and East York Civic Centres.

Councillor Mihevc moved:

- E. The Medical Officer of Health be requested to send an appropriate letter and the relevant consultation documents to Health Units and Medical Officers of Health across the Province, with a view to promoting pesticide reduction strategies.

The foregoing motions carried unanimously.

***In summary, the Board of Health took the following action:***

- (1) reiterated its support, in principle, for by-laws restricting pesticide use to protect public health;
- (2) adopted the report (March 21, 2002) from the Medical Officer of Health, regarding the development of a strategy to reduce non-essential outdoor pesticide use on private property for the City of Toronto;
- (3) requested the Medical Officer of Health to supplement the public discussion document "Playing it Safe: Healthy Choices about Lawn Care Pesticides" with:
  - (i) a description of by-law options to aid the public consultations on the nature and scope of a by-law; and
  - (ii) a definition of "cosmetic" or "non-essential" use of pesticides;
- 4) directed that the proposed public consultation meetings also be held at the York and East York Civic Centres; and
- (5) requested the Medical Officer of Health to send an appropriate letter and the relevant consultation documents to Health Units and Medical Officers of Health across the Province, with a view to promoting pesticide reduction strategies.

(Works Committee; Economic Development and Parks Committee; Planning and Transportation Committee; Pesticide Reference Group; Toronto Interdepartmental Environment (TIE) Pesticides Sub-committee; c. Medical Officer of Health; Jane Speakman, Legal Services; City Clerk, Children and Youth Action Committee; Interested Persons – April 9, 2002)

#### **4.2 Ten Key Carcinogens in Toronto Workplace and Environment: Assessing the Potential for Exposure.**

The Board of Health had before it a report (March 19, 2002) from the Medical Officer of Health, providing highlights of the appended report entitled, "Ten Key Carcinogens in Toronto Workplaces and Environment: Assessing the Potential for Exposure" that had been prepared in response to recommendations contained in both Toronto's Cancer Prevention Action Plan and Toronto's Environmental Plan, and seeking support from the Board of Health for the recommended course of action; and recommending that the Board of Health:

- (1) request the Medical Officer of Health to:
  - (a) identify strategies that can be taken to reduce the release of the ten key carcinogens, giving priority to benzene, dioxins and PAHs;
  - (b) report back to the Board of Health on these strategies; and
  - (c) continue to liaise with the Ontario Ministries of Labour and Health and Long-term Care, and with Cancer Care Ontario, to ensure that Toronto workers are adequately protected from occupational exposures to carcinogens in Toronto workplaces;
- (2) request the Ontario Minister of the Environment and the Federal Ministers of Health and the Environment to:
  - (a) provide Toronto-specific data on the levels of asbestos and chromium (VI) in Toronto's outdoor air;
  - (b) expand their respective emission release inventories to include a greater percentage of small and medium-sized point sources; and
  - (c) move quickly to establish a health-protective air standard for polycyclic aromatic hydrocarbons (PAHs) as a whole;
- (3) request that Cancer Care Ontario and the Ontario Minister of Labour give priority to the investigation and assessment of occupational exposure to the following known and probable carcinogens in industrial sectors in Toronto:
  - (a) PAHs in the land transport sector;
  - (b) tetrachloroethylene in the clothing apparel manufacturing sector and personal and household services sector;

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- (c) formaldehyde in the furniture and fixtures manufacturing and clothing apparel manufacturing sectors;
  - (d) chromium (VI) in a number of manufacturing sectors;
  - (e) benzene in the personal and household services sector and wholesale, retail trade, restaurants and hotels sector; and
  - (f) asbestos in the wholesale, retail trade, restaurants and hotels sector;
- (4) encourage Cancer Care Ontario and the Ontario Ministers of Labour, of the Environment, and of Health and Long-term Care to prioritize all occupational and environmental carcinogens for further assessment and toxics reduction where appropriate;
  - (5) send a copy of this report to the Ontario Ministers of Labour, the Environment, and Health and Long-Term Care, and to the Federal Ministers of Health and the Environment, and to Cancer Care Ontario, the Toronto Cancer Prevention Coalition, and the Commissioners of Works and Emergency Services and Corporate Services; and
  - (6) request that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Ruth Grier, Toronto Cancer Prevention Coalition, appeared before the Board of Health in connection with the foregoing matter.

Mr. MacKay moved:

A. That the foregoing report be adopted as amended by:

- (1) amending Recommendation No. (1)(a) by adding at the end thereof, the words:  
  
“taking into consideration the impact of the Greater Toronto Airports Authority (GTAA) operations”; and
- (2) amending Recommendation No. (1)(b) by adding after the word ‘strategies’ the words:  
  
“and the impact of the GTAA operations on air quality in Toronto”. **Carried.**

Mr. Hyndman moved:

- B. That the Provincial government strengthen its ability to protect workers from occupational exposures to carcinogens in Toronto workplaces by:
- (a) resuming the systematic collection of exposure information on selected chemical and physical agents in Ontario workplaces;
  - (b) restoring S34 of the Occupational Health and Safety Act (OHSA) requiring employers to notify the Ministry whenever a new chemical or biological agent is introduced into the workplace, and to provide details about the ingredients of the new substance;
  - (c) restoring the ability of the Ontario Ministry of Labour (OML) to order a health and safety assessment of new chemical agents;
  - (d) restoring S47(7) of the Occupational Health and Safety Act requiring that an OML health and safety inspector conduct an on-site investigation of work refusal at Ontario workplaces; and
  - (e) restoring the regulatory provisions of the Occupational Health and Safety Act to enforce compliance with workplace health and safety standards (i.e., in place of 'codes of practice'). **Carried.**

*In summary, the Board of Health amended and adopted the aforementioned report from the Medical Officer of Health and, in so doing:*

- (1) requested the Medical Officer of Health to:
  - (a) identify strategies that can be taken to reduce the release of the ten key carcinogens, giving priority to benzene, dioxins and PAHs, taking into consideration the impact of the Greater Toronto Airports Authority (GTAA) operations;
  - (b) report back to the Board of Health on these strategies and the impact of the GTAA operations on air quality in Toronto;
  - (c) continue to liaise with the Ontario Ministries of Labour and Health and Long-term Care, and with Cancer Care Ontario, to ensure that Toronto workers are adequately protected from occupational exposures to carcinogens in Toronto workplaces;
- (2) requested the Ontario Minister of the Environment and the Federal Ministers of Health and the Environment to:



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- (a) provide Toronto-specific data on the levels of asbestos and chromium (VI) in Toronto's outdoor air;
  - (b) expand their respective emission release inventories to include a greater percentage of small and medium-sized point sources; and
  - (c) move quickly to establish a health-protective air standard for polycyclic aromatic hydrocarbons (PAHs) as a whole;
- (3) requested that Cancer Care Ontario and the Ontario Minister of Labour give priority to the investigation and assessment of occupational exposure to the following known and probable carcinogens in industrial sectors in Toronto:
- (a) PAHs in the land transport sector;
  - (b) tetrachloroethylene in the clothing apparel manufacturing sector and personal and household services sector;
  - (c) formaldehyde in the furniture and fixtures manufacturing and clothing apparel manufacturing sectors;
  - (d) chromium (VI) in a number of manufacturing sectors;
  - (e) benzene in the personal and household services sector and wholesale, retail trade, restaurants and hotels sector; and
  - (f) asbestos in the wholesale, retail trade, restaurants and hotels sector;
- (4) encourages Cancer Care Ontario and the Ontario Ministers of Labour, of the Environment, and of Health and Long-term Care to prioritize all occupational and environmental carcinogens for further assessment and toxics reduction where appropriate;
- (5) directed that a copy of this report be sent to the Ontario Ministers of Labour, the Environment, and Health and Long-Term Care, and to the Federal Ministers of Health and the Environment, and to Cancer Care Ontario, the Toronto Cancer Prevention Coalition, and the Commissioners of Works and Emergency Services and Corporate Services;
- (6) requested that the Provincial government strengthen its ability to protect workers from occupational exposures to carcinogens in Toronto workplaces by:
- (f) resuming the systematic collection of exposure information on selected chemical and physical agents in Ontario workplaces;

- (g) restoring S34 of the Occupational Health and Safety Act (OHSA) requiring employers to notify the Ministry whenever a new chemical or biological agent is introduced into the workplace, and to provide details about the ingredients of the new substance;
  - (h) restoring the ability of the Ontario Ministry of Labour (OML) to order a health and safety assessment of new chemical agents;
  - (i) restoring S47(7) of the Occupational Health and Safety Act requiring that an OML health and safety inspector conduct an on-site investigation of work refusal at Ontario workplaces;
  - (j) restoring the regulatory provisions of the Occupational Health and Safety Act to enforce compliance with workplace health and safety standards (i.e., in place of 'codes of practice'); and
- (7) authorized and directed the appropriate City officials to take the necessary action to give effect thereto.

(Medical Officer of Health; Ontario Minister of the Environment; Ontario Minister of Health and Long Term Care; Ontario Minister of Labour; Federal Minister of the Environment; Federal Minister of Health; Cancer Care Ontario; Toronto Cancer Prevention Coalition; Commissioner of Works and Emergency Services; Commissioner of Corporate Services; c. Jane Speakman, Legal Services; Interested Persons – April 9, 2002)

#### **4.3 Update on the Hot Weather Response Plan.**

The Board of Health had before it a report (March 21, 2002) from the Medical Officer of Health, providing an update on the Hot Weather Response Plan and proposing that the protocol piloted in 2001 be implemented on an annual basis; advising of financial implications; and recommending that:

- (1) the Hot Weather Response Plan piloted in 2001 be implemented on an annual basis;
- (2) Toronto Public Health continue to participate in research initiatives on the relationship between extreme hot weather and health impacts for citizens who live and work in Toronto;

- (3) the Medical Officer of Health be authorized to contract annually with the existing partner community agencies as set out in Appendix C for implementation of the Hot Weather Response Plan;
- (4) this report be forwarded to City Council for approval; and
- (5) the appropriate City officials be authorized and directed to take the necessary steps to give effect thereto.

On motion by Councillor Jones, the Board of Health recommended to Council adoption of the foregoing report.

**(Clause No. 1, Report No. 3)**

**4.4 Management of De-Icing Activities at Toronto  
Lester B. Pearson International Airport.**

The Board of Health had before it a report (March 21, 2002) from the Medical Officer of Health, reporting on the collection, treatment, monitoring and reporting procedures that are in place at the Toronto Lester B. Pearson International Airport on discharge management of de-icing fluids to mitigate health and environmental effects; advising that there are no financial implications resulting from the adoption of this report; and recommending that the Board of Health:

- (1) request the Greater Toronto Airports Authority (GTAA) to:
  - (a) continue to monitor discharges from the airport for ethylene glycol, including at locations along the property boundary; and
  - (b) continue to enhance and fine-tune their de-icing fluid and stormwater management program at Toronto Lester B. Pearson International Airport;
- (2) request the Federal Ministers of the Environment and Transport to:
  - (a) work with the GTAA and other Canadian Airport Authorities to encourage manufacturers to replace tolyltriazole in the aircraft de-icing and anti-icing formulations with less toxic additives; and
  - (b) work with the GTAA and other Canadian Airport Authorities to investigate the level and total loading of tolyltriazole in the effluents of Canadian airports. Should there be concerns identified, the Federal Minister of the Environment must develop a suitable effluent guideline for

tolyltriazole discharge to the natural waterways, and assess the treatability of tolyltriazole and its potential impact on the treatment of spent de-icing and anti-icing fluids;

- (3) request that the GTAA consult with Works and Emergency Services on the safe discharge of tolyltriazole into the municipal sanitary sewer system if concerns are identified. In this case, the GTAA should include tolyltriazole in its monitoring program prior to discharge of spent de-icing waste to the sanitary sewer system and the environment;
- (4) request the Ontario Minister of the Environment and the Commissioner of Works and Emergency Services to continue to make random site visits to ensure all the environmental management procedures for de-icing are followed;
- (5) forward this report to the GTAA, Works Committee, the Federal Ministers of the Environment and Transport, the Ontario Minister of the Environment, and the Medical Officer of Health of the Regional Municipality of Peel for their information and appropriate action; and
- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Councillor Mihevc moved:

- A. That the foregoing report from the Medical Officer of Health be adopted as amend by adding the following new recommendation:

- “(7) request the Commissioner of Works and Emergency Services to review and report on:
- (a) the de-icing practices in use at the Toronto City Centre Airport (TCCA);
  - (b) the extent to which these practices comply with the Toronto Sewer Use By-law and other pertinent Federal guidelines that may apply;
  - (c) the levels of ethylene glycol and tolyltriazole in the waters of Lake Ontario adjacent to the TCCA and how this compares with the Ontario Ministry of the Environment’s Provincial Water Quality Objectives (PWQO).” **Carried.**

Mr. MacKay moved:

- B. That the Medical Officer of Health be requested to report to the Board of Health on environmental assessments currently in place regulating activities at the Toronto Lester B. Pearson International Airport. **Carried.**

*In summary, the Board of Health took the following action:*

- (1) requested the Greater Toronto Airports Authority (GTAA) to:
  - (a) continue to monitor discharges from the airport for ethylene glycol, including at locations along the property boundary; and
  - (b) continue to enhance and fine-tune their de-icing fluid and stormwater management program at Toronto Lester B. Pearson International Airport;
- (2) requested the Federal Ministers of the Environment and Transport to:
  - (a) work with the GTAA and other Canadian Airport Authorities to encourage manufacturers to replace tolyltriazole in the aircraft de-icing and anti-icing formulations with less toxic additives; and
  - (b) work with the GTAA and other Canadian Airport Authorities to investigate the level and total loading of tolyltriazole in the effluents of Canadian airports. Should there be concerns identified, the Federal Minister of the Environment must develop a suitable effluent guideline for tolyltriazole discharge to the natural waterways, and assess the treatability of tolyltriazole and its potential impact on the treatment of spent de-icing and anti-icing fluids;
- (3) requested that the GTAA consult with Works and Emergency Services on the safe discharge of tolyltriazole into the municipal sanitary sewer system if concerns are identified. In this case, the GTAA should include tolyltriazole in its monitoring program prior to discharge of spent de-icing waste to the sanitary sewer system and the environment;
- (4) requested the Ontario Minister of the Environment and the Commissioner of Works and Emergency Services to continue to make random site visits to ensure all the environmental management procedures for de-icing are followed;
- (5) requested the Commissioner of Works and Emergency Services to review and report on:
  - (a) the de-icing practices in use at the Toronto City Centre Airport (TCCA);

- (b) the extent to which these practices comply with the Toronto Sewer Use By-law and other pertinent Federal guidelines that may apply; and
  - (c) the levels of ethylene glycol and tolyltriazole in the waters of Lake Ontario adjacent to the TCCA and how this compares with the Ontario Ministry of the Environment's Provincial Water Quality Objectives (PWQO);
- (6) forwarded this report to the GTAA, Works Committee, the Federal Ministers of the Environment and Transport, the Ontario Minister of the Environment, and the Medical Officer of Health of the Regional Municipality of Peel for their information and appropriate action;
  - (8) requested the Medical Officer of Health to report to the Board of Health on environmental assessments currently in place regulating activities at the Toronto Lester B. Pearson International Airport; and
  - (8) authorized and directed the appropriate City officials to take the necessary action to give effect thereto.

(Works Committee; Commissioner of Works and Emergency Services; Medical Officer of Health; Minister of the Environment, Canada; Minister, Transport Canada; Ontario Minister of Environment; Medical Officer of Health, Region of Peel; Greater Toronto Airports Authority; c. Jane Speakman, Legal Services – April 9, 2002)

#### **4.5 Air Quality and a City of Toronto Phase-Out Of Coal-Fired Electricity Purchases.**

The Board of Health had before it a report (March 15, 2002) from the Medical Officer of Health, commenting on the request by the Ontario Clean Air Alliance for the City of Toronto to phase out its purchases of electricity produced from coal, in order to improve air quality; advising that there are no financial implications resulting from the adoption of this report; and recommending that:

- (1) City Council endorse, in principle, the objective of phasing out City purchases of coal-fired electricity;
- (2) the Board of Health forward this report, including the attached correspondence from the Ontario Clean Air Alliance, to the Energy and Waste Management office, Facilities and Real Estate Division of Corporate Services for their information and appropriate action; and

- (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The Board of Health also had before it a communication (April 8, 2002) from Paul Newall, Senior Advisor, Ontario Power Generation, providing information on Ontario Power Generation and green power technologies.

The following persons appeared before the Board of Health in connection with the foregoing matter:

- (i) Jack Gibbons, Ontario Clean Air Alliance; and submitted a written brief; and
- (ii) Gord Perks, Toronto Environmental Alliance, and submitted a written brief.

On motion by Councillor Pitfield, the Board of Health:

- (1) recommended that Council endorse, in principle, the objective of phasing out City purchases of coal-fired electricity and that this be achieved through the energy efficiency and green power purchasing measures previously endorsed in the City's Environmental Plan; and
- (2) forwarded this report, including the attached correspondence from the Ontario Clean Air Alliance, to the Energy and Waste Management office, Facilities and Real Estate Division of Corporate Services for information and report back on the emission reduction benefits and financial costs of phasing out the City's purchase of coal-fired electricity by:
  - (a) 2005;
  - (b) 2007; and
  - (c) 2010"

**(Clause No. 2, Report No. 3)**

**4.6 Ontario Restaurant and Motel Association  
vs. City of Toronto and Board of Health for  
the City of Toronto Health Unit.**

The Board of Health had before it a confidential report (March 20, 2002) from the City Solicitor, with respect to a court application brought by the Ontario Restaurant Hotel and Motel Association (the "ORHMA"), having regard that the subject matter relates to solicitor/client privilege.)

On motion by Mr. Zaslofsky, the Board of Health:

- (1) recommended to Council that the confidential report from the City Solicitor be received for information; and
- (2) forwarded a copy of the aforementioned report to the Licensing Sub-Committee for information.

(Licensing Sub-Committee; c. Jane Speakman, Legal Services;  
Medical Officer of Health – April 9, 2002)

**(Clause No. 3, Report No. 3)**

**4.7 Ratification of the Kyoto Protocol to Improve  
Air Quality and Fight Global Climate Change.**

The Board of Health had before it a joint report (March 27, 2002) from Councillor David Miller, Toronto Transit Commission, Councillor Jack Layton, Toronto Atmospheric Fund and Councillor Joe Mihevc, Board of Health, recommending that:

- (1) the City of Toronto endorse ratification of the Kyoto Protocol;
- (2) this resolution be communicated to the Prime Minister of Canada, Members of Parliament representing Toronto, the Ontario Minister of Environment, the Ontario Minister of Energy, federal and provincial opposition leaders, community media and the Federation of Canadian Municipalities; and
- (3) the City of Toronto, through the GTA Clean Air Council, of which the City is a founding member, urge all member municipalities involved in the Smog Summit to pass a Council motion calling for the endorsement of the Kyoto Protocol as a strategy in reducing smog in the Greater Toronto Area.



The Board of Health also had before it a communication (March 18, 2002) from Councillor Jack Layton, President, Federation of Canadian Municipalities, requesting support for ratification of the Kyoto Protocol.

On motion by Councillor Jones, the Board of Health recommended to Council adoption of the joint report (March 27, 2002) from Councillor David Miller, Toronto Transit Commission, Councillor Jack Layton, Toronto Atmospheric Fund and Councillor Joe Mihevc, Board of Health.

**(Clause No. 4, Report No. 3)**

**4.8 Power Purchase Agreement.**

The Board of Health adopted the following Resolution with respect to Authority for City of Toronto ("City") to act as Agent for the Board of Health for the City of Toronto Health Unit for the purposes of entering into an electricity supply contract with Toronto Hydro Energy Services Inc:

Moved by Councillor Mihevc:

"BE IT RESOLVED THAT:

1. The Board of Health for the City of Toronto Health Unit [Agency] appoints the City as its Agent for the purposes of:
  - A. Negotiating the electricity purchase agreement with Toronto Hydro Energy Services Inc. for the Agency's estimated pro rata share of electricity based on the Agency's past consumption patterns;
  - B. Executing the Master Agreement (among THESI, the City, the Toronto Transit Commission, and Toronto Community Housing Corporation and those Agencies, Boards, Commissions and Corporations on whose behalf the City is appointed Agent) dated as of the \_\_\_ day of April, 2002 and any Transactional Agreements for the purchase of various blocks of power on behalf of the Agency;
  - C. Administering the Master Agreement and any Transactional Agreements, including monitoring any excess sell-back of electrical power or instructing THESI with respect to the acquisition of electrical power to meet shortfalls in the contracted amount on behalf of the Agency, subject to the terms and conditions of those respective Agreements;

- D. Receiving monthly invoices and detailed statements of consumption for both the distribution portion and retail portion of the Agency's electricity usage, as well as any ancillary charges, under THESI's Retailer-Consolidated Billing arrangements with Toronto Hydro Electric System Limited;
  - E. Paying the amounts invoiced to THESI within 24 hours of receipt on behalf of the Agency;
  - F. Forwarding the Agency's portion of the invoice to the Agency forthwith for review and approval by the Agency;
  - G. Receiving payment from the Agency of the Agency's pro rata share of the invoiced amount within \_\_\_\_ days of the City's payment to THESI on the Agency's behalf; or, alternatively, deducting such Agency's payment from monies which the City would otherwise transfer to the Agency as part of the annual budget approval process;
  - H. Providing notification to THESI of any disputes raised by the Agency with respect to the Agency's invoice and taking any necessary steps to enforce the Agency's rights under the Master Agreement and Transactional Agreements; and,
  - I. Doing such other things as are necessary to implement the Master Agreement and any Transactional Agreements on behalf of the Agency.
2. The Board of Health for the City of Toronto Health Unit [Agency] will pay City for all amounts paid on Agency's behalf within agreed upon time period, failing which City shall deduct amounts owing from any funds under the care and control of City Treasurer which have been allocated by City for Agency and not yet paid to Agency; and failing such recovery of funds, City shall take any necessary action to enforce payment against the Agency.
3. The City and Agency shall each indemnify the other with respect to claims, damages, etc. attributable to any negligent or willful act or omission by one or the other party with respect to the performance of the Agency Agreement, the Master Agree or any Transactional Agreement."

(City Solicitor, attention: Lorraine Searles-Kelly; c. Jane Speakman,  
Legal Services – April 10, 2002)

**4.9 Public Medicare Day – May 15, 2002.**

The Board of Health had before it the following resolution moved by Councillor Joe Mihevc:

WHEREAS Toronto residents and Canadians everywhere pride ourselves on the fact that Canada has provided universal, publicly accessible health care to its citizens for over 30 years; and

WHEREAS the principles of the Canada Health Act are the basis upon which our public health system was formed and have provided public access to life saving and life enhancing care for over a generation; and

WHEREAS Canadians are challenged as we have never been before to protect, restore and upgrade where necessary our public Medicare system.

THEREFORE BE IT RESOLVED THAT the Toronto Board of Health recommend to Toronto City Council to declare its support for Canada's public health care system and the principles of the Canada Health Act; and

BE IT FURTHER RESOLVED THAT the Toronto Board of Health recommend to Toronto City Council to call upon the Romanow Commission, and federal and provincial governments to ensure that the principles of the Canada Health Act are maintained, that the public health care system be publicly delivered and upgraded where necessary, and that adequate public funding be provided to do so; and

BE IT FURTHER RESOLVED THAT the Toronto Board of Health recommend to Toronto City Council to declare its support for the notion that health promotion focusing on determinants of health and disease prevention become the foundation of medicare as part of a national public health strategy and that public health programs be adequately funded; and

BE IT FURTHER RESOLVED THAT the Toronto Board of Health recommend to Toronto City Council to proclaim May 15<sup>th</sup>, 2002 as Public Medicare Day in the City of Toronto; and

BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to Mr. Romanow, Rt. Hon. Jean Chretien, Hon. Ernie Eves, Hon. Anne McLellan (Federal Minister of Health), and Hon. Tony Clement (Ontario Minister of Health).

On motion by Mr. Zaslofsky, the Board of Health adopted the foregoing resolution and, in so doing:

The Board of Health recommended that Council:

- (1) declare its support for Canada's public health care system and the principles of the Canada Health Act;
- (2) call upon the Romanow Commission, and federal and provincial governments to ensure that the principles of the Canada Health Act are maintained, that the public health care system be publicly delivered and upgraded where necessary, and that adequate public funding be provided to do so;
- (3) declare its support for the notion that health promotion, focusing on determinants of health, and disease prevention, become the foundation of medicare as part of a national public health strategy and that public health programs be adequately funded;
- (4) proclaim May 15, 2002 as Public Medicare Day in the City of Toronto; and
- (5) forward a copy of this resolution to Mr. Roy Romanow, Rt. Hon. Jean Chretien, Hon. Ernie Eves, Hon. Anne McLellan (Federal Minister of Health), and Hon. Tony Clement (Ontario Minister of Health).

**(Clause No. 5, Report No. 3)**

The Board of Health adjourned at 4:50 p.m.

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Chair