



STAFF REPORT ACTION REQUIRED

Emergency Management Program Amendments

Date:	April 20, 2009
To:	Executive Committee
From:	Joseph P. Pennachetti, City Manager Richard Butts, Deputy City Manager
Wards:	All
Reference Number:	P:\2009\Cluster B\DCM\ec09001

SUMMARY

This report outlines improvements to the emergency management structure of the City, based on a review of the Emergency Management Program and recent emergency events of significance to the City. While the City has demonstrated a commitment to emergency management, the current structure can be improved to help the City better prepare for, and respond to, events.

This report makes recommendations to revise the City's Municipal Code, Chapter 59, Emergency Management and the Emergency Management Plan, that will strengthen the City's ability to mitigate, prepare, respond, and recover from emergencies.

The revisions to Municipal Code, Chapter 59, Emergency Management include:

1. Delegating authority to the Mayor in an emergency, only to be exercised in accordance with specific criteria and reported to members of Council;
2. Delegating authority to the Toronto Emergency Management Program Committee (TEMPC) to make changes to the Emergency Management Program and report changes to Council;
3. Revised memberships of TEMPC, TEMPC Control Group, Emergency Management Working Group (EMWG) and Joint Operations Team; and
4. Addition of a protocol for members of TEMPC to notify the Mayor and Director, Office of Emergency Management upon becoming aware of an emergency.

Further improvements affecting operational and administrative elements of the Emergency Management Program will be phased in as resources are made available through the capital and operating budget process.

RECOMMENDATIONS

The City Manager and Deputy City Manager recommend that:

1. City Council approve the City of Toronto Emergency Plan, attached as Appendix 1;
2. City Council re-enact Municipal Code, Chapter 59, Emergency Management, substantially in the form of the draft by-law, attached as Appendix 2;
3. City Council amend the provisions of Toronto Municipal Code, Chapter 27, Council Procedures, to ensure that the delegation of Council's authority to the Mayor addressed in new Code Chapter 59, includes the authority conferred on Community Councils under section 27-152; and
4. City Council authorize the City Solicitor to bring forward the necessary bills to give effect to these recommendations.

Financial Impact

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

DECISION HISTORY

The Emergency Plan and Program were adopted by City Council in February 2004. They were later amended by City Council in May 2005 as a result of the Mayor's Administrative Review and the new organizational structure of the City of Toronto established at that time (i.e. Divisions and Clusters replaced Departments).

In November 2007, Council approved an amendment to Municipal Code, Chapter 59 to replace the Community Services Committee with the Executive Committee as the standing committee to consider reports on emergency planning matters.

On September 24 and 25, 2008, City Council referred five Notices of Motion to the Executive Committee relating to the Sunrise Propane explosion. The Executive Committee, at its meeting on November 10, 2008, referred all five motions and one additional item to the City Manager for a report back. The items are EX26.29 to EX26.34.

<http://www.toronto.ca/legdocs/mmis/2008/ex/agendas/2008-11-10-ex26-ai.htm>

ISSUE BACKGROUND

Events such as SARS, the August 2003 power outage and, more recently, the Queen Street fire and the Secord and Sunrise explosions illustrate the significant health and economic impacts emergencies can have on the City of Toronto and its residents, and the importance of community recovery following an event. An integrated, effective and efficient Emergency Management Plan is a critical expectation and a requirement towards ensuring the resilience of the City of Toronto when faced with a significant adverse event arising from natural events (predicted to increase in frequency and impact as a result of climate change); aging infrastructure; world events; and accidents.

Components of Emergency Management

Emergency management is commonly confused with emergency response. While emergency response refers to actions taken immediately after an event has occurred, emergency management is much broader in scope. It is the process of planning, decision-making and assigning resources to mitigate, prepare, respond and recover from emergencies. It provides an organized approach to saving lives, preventing injuries and protecting property and the environment if an emergency occurs. Therefore, emergency response is just one component of emergency management.

There are four generally-accepted components/phases to emergency management, each of which is briefly described below:

Mitigation – Activities and practices designed to prevent or avoid an emergency, or to minimize the impact on the community.

Preparedness – Activities taken to prepare for an emergency, including writing plans, training staff, conducting exercises and increasing public awareness of emergencies.

Response – Actions taken and activities designed to address the short-term effects of an emergency. These include response, resource coordination, and communication.

Recovery – Coordinated actions taken both during and following an emergency to support affected communities in the reconstruction of the physical infrastructure and restoration of emotional, social, economic and physical well being.

Recent Events

In 2008, Toronto experienced a number of significant events that has heightened awareness of the importance of recovery activities following the initial response. The Queen Street Fire in February 2008 and the Secord Road explosion in July 2008 demonstrated the importance of post-event recovery for those directly affected.

Following the explosion on Murray Road at the Sunrise Propane facility in August 2008, staff discussions were held to identify improvements to existing emergency response and recovery plans. Findings highlighted better ways to share information among responders and the Emergency Operations Centre; coordinate communications to the public; streamline staff access to the emergency site; and coordinate assistance for affected residents.

Recovery activities for residents, support agencies and City staff for the Secord and Sunrise events were coordinated through Shelter, Support and Housing Administration as the one point of contact for issues related to health, insurance, counselling, financial support, tenant advice, pet issues, links to community services, bussing children to their 'home' schools, access to donations and continued support by telephone.

Program Review

As a result of recent emergency events identified above, and organizational changes in emergency management at the provincial level, the City Manager initiated a review of the Program in order to:

- Strengthen the City's ability to mitigate, prepare, respond and recover from major emergencies;
- Provide strategic leadership both vertically and horizontally throughout the City's management structure;
- Increase horizontal collaboration across services and programs;
- Ensure an effective balance of compliance, administrative governance, and delegation of responsibility throughout the organization;
- Implement effective emergency management linkages throughout the City's agencies, boards, commissions, corporations and divisions (ABCCDs); and
- Remain adaptable, flexible, and innovative in execution of the Program.

A senior management advisory committee was established to oversee the Program review and PriceWaterhouseCoopers LLP was retained as an external consultant to conduct the review. The Program review included a jurisdictional review of leading practices in other large Canadian and U.S. municipalities. The Program review commenced in April 2008 and a final consultant's report was prepared and submitted to the City Manager in July 2008.

The recommendations resulting from the Program review have identified areas for improvement, and recommended revisions to the Municipal Code Chapter 59, specifically:

- Emergency management structure – the establishment of a more streamlined governance model to provide oversight to the Program; and
- Emergency Management Program – clarification of roles, responsibilities and mandates for those involved in the Program, including members of the Toronto

Emergency Management Program Committee (TEMPC) and the Emergency Management Working Group (EMWG).

At its meeting on March 31, 2009, City Council approved the 2009 Operating Budget, including funding to create and hire a new Director, Office of Emergency Management position in 2009.

COMMENTS

In conducting its review, PriceWaterhouseCoopers interviewed City staff and other stakeholders and researched the emergency management practices of other municipalities in Canada, the United States and England. Their review found many strengths and opportunities in the City's Emergency Management Program (EMP), some of which are as follows:

- The Mayor and City Executive's commitment to the EMP has brought awareness of EMP issues to ABCCDs and promoted the importance of EMP initiatives across the City.
- City Leads and staff that are involved in the EMP take initiative and are a big driving force behind many accomplishments to date.
- There is a spirit of cooperation amongst the City's EMP staff and external agencies. This improves the efficiency and effectiveness of the City's responses to major incidents.
- While focussing on the mitigation, planning and/or recovery phases of emergency management, EMP staff developed strong relationships with one another and constantly exchange ideas and provide support. During response, EMP staff leverage these contacts to secure resources and obtain guidance as required, albeit on an ad hoc and informal basis.
- Some divisions are making significant progress with respect to improving their emergency management capability. They are working closely with the Office of Emergency Management (OEM) and developing their own plans, training, drills and tools to assist individual groups within their division to carry out emergency functions.
- Most people interviewed by the consultant consider OEM to be doing a good job in its current role (largely preparedness – planning, testing, training, and exercises) given its limited resources. In addition, OEM staff seems to have formed good relationships with ABCCDs and the Province. Overall, City executives, ABCCDs and external agencies are generally satisfied with OEM's training and planning performance.

Some concerns raised by the consultant were as follows:

- Although a definition of an emergency is included in the Provincial *Emergency Management and Civil Protection Act* (the Act), the definition is considerably narrow, and addresses events requiring considerable resources and support rather

- than smaller local emergencies. This has resulted in confusion regarding when the Emergency Operations Centre (EOC) should be activated. Additionally, it does not provide the ABCCDs and the OEM with guidance to determine when their resources may be called upon, thereby limiting their capability to plan as well as act.
- While the Mayor, Deputy Mayor, and City executives have demonstrated a commitment to emergency management; and the dedication, strong expertise and hard work of City personnel, including OEM staff, have lead to accomplishments in the Program, the current governance model can be improved to better achieve the City’s goals of preparing for, and responding to, events.

Delegation of Authorities

Mayor’s Authority

The Act defines “emergency” as a “situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise”.

Under section 4(1) of the Act, the Mayor may declare an emergency and take such action as considered necessary and "not contrary to law" to respond to the emergency. Therefore, existing legal entitlements and restrictions cannot be overridden by virtue of the declaration of an emergency.

For example, in case of an unanticipated walkout by TTC employees, such as the one that occurred in 2008, it would be important to allow for rapid changes to parking restrictions to promote the orderly flow of traffic. Given the restrictions on the Mayor’s authority, the Mayor could not unilaterally amend a by-law authorizing a person to park in a particular location or to drive on a particular street by giving directions during an emergency as that would be “contrary to law”. Instead a special meeting of Council would have to be convened to allow for temporary amendment of the relevant by-laws, with the delay inherent in arranging that meeting.

As the City has gained experience in responding to recent emergency events such as the Queen Street fire, the Secord and Murray Road explosions, and the TTC strike, there is an increasing awareness of the need to enhance the City process in emergency situations that would assist in ensuring that appropriate, timely action can be taken. Consideration is also given to the City’s size, and the impact that events occurring in Toronto may have on Canada as a whole (e.g. during the SARS outbreak in the Greater Toronto Area, the City of Vancouver’s tourism was affected).

Provincially, section 7.1 of the Act provides that the Lieutenant Governor in Council may temporarily suspend the provision of a statute, regulation, rule, by-law or order of the Government of Ontario provided certain conditions are met. The suspension is only

permitted if, in the opinion of the Lieutenant Governor in Council, temporarily suspending the operation of the provision would facilitate providing assistance to victims of the emergency or would otherwise help victims and other members of the public to deal with the emergency and its aftermath.

In light of these considerations, in its report, the Consultant observed that:

“The powers of the Mayor and/or City Manager are too limited in a declared emergency; the Mayor cannot take action to protect the City and ensure continuity of operations that is contrary to law without a significant bureaucratic process”.

The consultant went on to observe that this situation:

”... slows down and/or impairs response efforts during declared emergencies, thus increasing the potential financial, economic, social and environmental impact to the City, and beyond.”

Given this, the consultant recommended that the Mayor should seek to obtain the authority to amend bylaws during a declared emergency to ensure the continuity of operations of the City. The consultant also noted that :

“Given the City’s size, scope, complexity and importance of Toronto in relation to other cities in Canada, and consistent with leading practices, the authority of the EOC Chief Operations Officer (designated as the Mayor or City Manager in the EOC Operational Support Function) during an emergency should be expanded. Specifically, the authority should allow for the override of existing legal entitlements and restrictions by virtue of the City’s declaration of an emergency. Legal counsel should be obtained to determine the best/viable method of expanding these powers and next steps that need to be taken.”

[The equivalent of the EOC Chief Operations Officer as referenced by the consultant in the Toronto governance model is the Chair of TEMPC.]

There are two basic means to accomplish these objectives.

First, the Mayor’s authority to deal with emergency situations could be enhanced through means currently available. An analysis by staff in the Legal Division indicates that, under section 20 of the *City of Toronto Act, 2006*, (COTA), Council is able to delegate to the Mayor the authority to exercise the powers of Council in emergency situations. This delegation will be made subject to restrictive conditions on use of the authority and a requirement to keep Council informed, as described below and as set out in the draft Code Chapter attached as Appendix 2 to this report.

Delegation of Council authority will allow the Mayor to exercise existing legal authority in Council’s stead in order to respond to an emergency. No legislative change is required as the authority is currently contained in COTA.

However, there must clearly be some criteria governing such situations with the appropriate checks and balances imposed on the exercise of such use. Exercise of this authority will be restricted to the following criteria:

- (1) It is necessary to utilize the authority to address the situation in a timely manner.
- (2) In the opinion of the Mayor, it is reasonable to believe that the harm or damage will be alleviated by the exercise of the delegated authority and exercising the delegated authority is a reasonable alternative to other measures that might be taken to address the situation.
- (3) The actions authorized under the delegated authority are exercised in a manner which, consistent with the objectives of the exercise of the delegated authority, reasonably limits their intrusiveness.
- (4) The exercise of the delegated authority only applies to the areas of the City of Toronto where it is necessary.
- (5) The exercise of the delegated authority is effective only for as long as is reasonably necessary.

The Mayor shall advise the members of City Council of any exercise of authority delegated under this Article within 30 days of the date of exercise of the authority.

The second means to enhance the Mayor's authority to allow for more effective and timely response to emergencies, could be to request additional measures from the Province. Staff will undertake discussions with the Province on additional initiatives and measures that can improve the City of Toronto's ability to mitigate, prepare, respond and recover from emergencies.

Community Councils – Delegation Issue

As indicated above, one of the means available to accomplish the above-noted objectives is for Council to delegate to the Mayor the authority to exercise the powers of Council in emergency situations. Council has previously delegated its authority to Community Councils, in Chapter 27, Council Procedures, subsection 152, to make final decisions on certain local matters such as on-street parking, standing and stopping, traffic regulation and temporary road closures, among other things. In addition, the delegation provides that Council cannot exercise the delegated authority. Therefore, this raises a question of whether Council can now delegate the authority to the Mayor. However, to ensure that the Mayor has the requisite authority to respond to emergencies including, for example, the closure of a local road in conjunction with a major arterial road, the delegation to the Mayor should include such local matters.

There are two ways to provide for this. First it is necessary to amend Municipal Code, Chapter 27, Council Procedures, Delegation to Community Councils, to reflect the delegated authority to the Mayor in Chapter 59. Recommendation 3 addresses this.

Second, the re-enacted Chapter 59, includes subsection 59-14, subsection D, to also address this issue. To the extent of a conflict between the exercise of delegated authority under that Chapter and any chapter of the City of Toronto Municipal Code or any other City by-law, Chapter 59, and the exercise of authority delegated under the Chapter 59, prevails.

Emergency Management Structure

Current Structure:

The existing Chapter 59, Emergency Management by-law defines the composition of TEMPC and the role of TEMPC.

Currently, TEMPC is composed of the Mayor, Deputy Mayor, City Manager, Deputy City Managers, Chief Corporate Officer, City Solicitor, Medical Officer of Health, Treasurer, Manager of OEM, eight Division Heads (EMS, Fire Services, Building, Technical Services, Parks, Forestry and Recreation, Shelter, Support and Housing Administration, Transportation Services and Water), the Chief of Police, the Chief General Manager of TTC, and representatives of organizations such as Bell Canada, Enbridge and Enwave.

The role of TEMPC is to formulate and develop the Emergency Management Plan and the Emergency Management Program for all ABCCDs under City Council's jurisdiction; coordinate the implementation of the Plan; conduct training exercises; and annually review the Plan. TEMPC reports through Executive Committee to City Council.

The TEMPC Control Group, during an emergency, has the authority and responsibility to activate, coordinate, direct and otherwise bring about the implementation of the Emergency Plan formulated pursuant to the City of Toronto Municipal Code Chapter 59 to the extent of the duties and powers conferred upon it by law. The Control Group is composed of some members of TEMPC: the Mayor, Deputy Mayor, City Manager, Deputy City Managers, Chief Corporate Officer, Medical Officer of Health, Treasurer, Manager of OEM, six Division Heads (EMS, Fire Services, Technical Services, Shelter, Support and Housing Administration, Transportation Services and Water), the Chief of Police and the Chief General Manager of TTC.

The Emergency Management Working Group (EMWG) supports the efforts of the TEMPC through the development of integrated and operationally viable plans and procedures that are coordinated amongst the ABCCDs of the City. The EMWG also provides a forum to share the knowledge base of emergency management leading practices, including the sharing of resources, training, exercises, and public education

topics. The EMWG may carry out directives of the TEMPC as appropriate, and members may be invited to participate in EMWG sub-committees, such as exercise design teams, which are formed as required. Meetings are facilitated by the OEM, and overall progress of the EMWG is reported to the Deputy City Manager, Cluster B, by the OEM Manager.

The OEM is the coordinating body for emergency and disaster activities as part of the City's EMP. The OEM assists the City in risk identification, mitigation, preparation for, response to, and recovery from emergencies. OEM currently reports to the City's Technical Services Division, located in Cluster B of the organization chart. OEM is led by a Manager, who reports to the Executive Director of Technical Services. The Executive Director, in turn, reports to the Deputy City Manager of Cluster B.

In addition to its Manager, OEM has 8 members on staff: six coordinators and two clerical. The coordinator roles are divided into the following six areas:

- a) Emergency Planning and Operational Support Functions (OSFs)
- b) Pandemic Flu, Continuity of Operations (COOP), Critical Infrastructure
- c) Nuclear
- d) Training & Exercises
- e) Chemical, TTC, Private
- f) EOC & Communications

At its meeting on March 31, 2009, City Council approved the 2009 Operating Budget containing funding to hire a new Director position for the OEM, who will report directly to the Deputy City Manager, Cluster B.

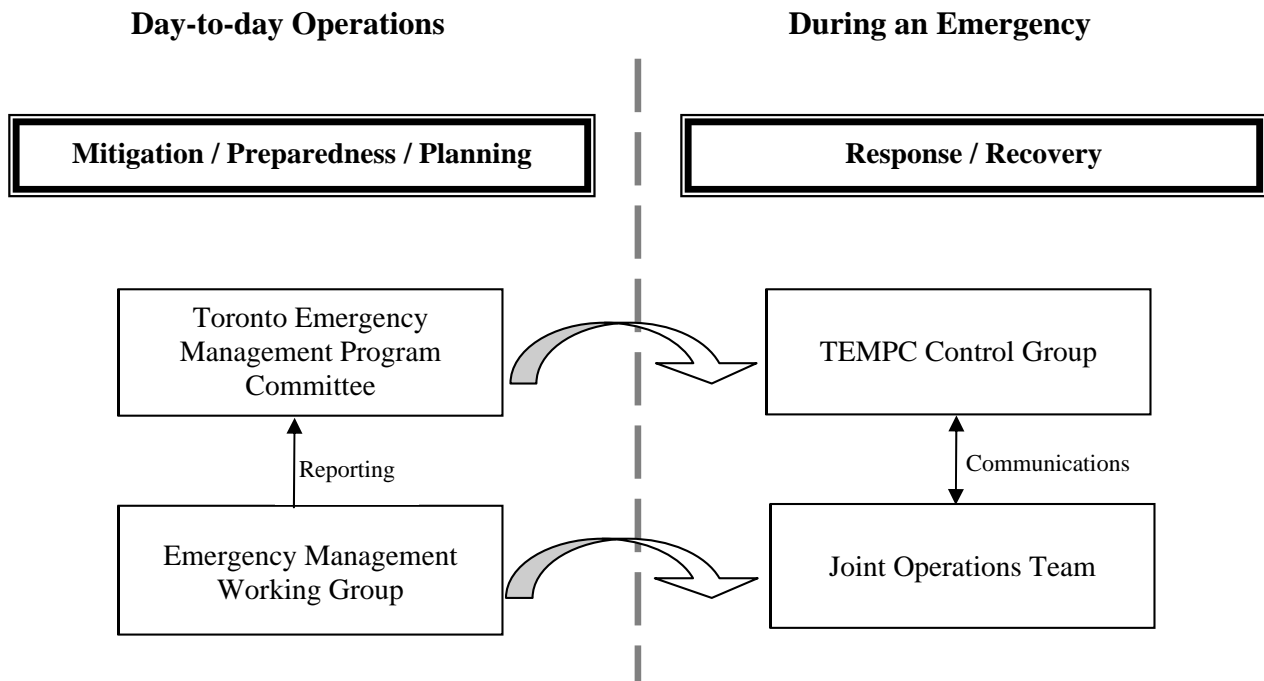
The Consultant's Conclusions:

The consultant concluded that there are opportunities to improve TEMPC to provide more effective oversight of the City's Emergency Management Program and provide clearer direction to the Emergency Management Plan. Further, the Emergency Management Working Group (EMWG) should have more responsibility to propose priorities and resource requirements for the Emergency Management Program. EMWG members must work together to meet common emergency management goals and objectives.

The roles and responsibilities of the members of TEMPC, TEMPC Control Group and EMWG need to be more clearly defined.

The Consultant's Proposed Structure:

The diagram below shows the basis of the recommended emergency management structure, followed by a description of each group and their relationships.



The consultant recommended that:

- the TEMPC membership be reduced, or the TEMPC Control Group be utilized as the core team members, and only call upon the other current members of TEMPC as required.
- Roles and responsibilities of TEMPC members should be clarified, alternates for each position identified, and the plan should clearly illustrate how the roles integrate with those of the other ABCCDs and committees across the City.
- The TEMPC should oversee the work performed by the current EMWG (or the recommended Emergency Operations Team) and the OEM.
- EMWG should report formally into the TEMPC Control Group. EMWG membership should be reduced.
- The EMWG should meet on a monthly basis and the complete TEMPC should meet on a quarterly basis.

Revised Membership of the Toronto Emergency Management Program Committee (TEMPC)

Regulation 380/04 made under the Act requires the establishment of an Emergency Management Program Committee, which in Toronto's case is the TEMPC and as previously described is already in place. Under the proposed revisions to Municipal Code, Chapter 59, the TEMPC will continue to be responsible for the City's overall

Emergency Management Program, with delegated authority to revise and update the Program and the Emergency Plan.

The Mayor currently chairs TEMPC and will continue to do so in the proposed structure. To increase efficiency and effectiveness, the size of the TEMPC membership is reduced to only City staff and officials under Council's jurisdiction. The remaining current members (not under Council's jurisdiction) will form part of a newly created Advisory Panel that will be called upon for support when their expertise is required.

The TEMPC will provide oversight of the work performed by the EMWG, discussed further below. To do so effectively, greater involvement and participation in the Program will be required by TEMPC members and their respective Divisions. Meetings of TEMPC will be increased from semi-annually to quarterly.

It is being recommended in the revised by-law that TEMPC members include the following persons:

1. The Mayor (Chair)
2. The Deputy Mayor
3. The City Manager
4. The Deputy City Managers
5. The Chief of Police
6. The Fire Chief and General Manager of Fire Services
7. The Chief and General Manager of Emergency Medical Services
8. The Medical Officer of Health
9. The Director of Strategic Communications
10. The Executive Director of Human Resources
11. The Chief General Manager of the Toronto Transit Commission
12. The General Manager of Transportation Services
13. The General Manager of Toronto Water
14. The General Manager of Shelter, Support and Housing Administration
15. The City Solicitor
16. The City Treasurer
17. The Chief Corporate Officer
18. The Chief Building Official and Executive Director of Toronto Building
19. The General Manager of Parks, Forestry and Recreation
20. The General Manager of Solid Waste Management Services
21. The Executive Director of Facilities and Real Estate
22. The Chief Information Officer
23. The Manager of Risk Management and Insurance
24. The Director of the Office of Emergency Management
25. The City Clerk

TEMPC Communications Protocol

The re-enacted by-law includes the addition of a protocol for members of TEMPC to notify the Mayor and Director, Office of Emergency Management upon becoming aware of an emergency. The Director, OEM in turn notifies the members of TEMPC of the existence of an emergency and implements the City's Emergency Management Plan.

Revised Membership of the TEMPC Control Group

Regulation 380/04 made under the Act requires the establishment of an Emergency Management Control Group, which is currently in place. Under the proposed revisions to Municipal Code, Chapter 59, the Control Group will retain its role as the default group to convene at the EOC to provide executive, strategic level event management and response during an emergency in Toronto.

Of the TEMPC members listed above, the first 14 positions will form the default membership of the TEMPC Control Group.

The Mayor, or his designate in this case, the City Manager, will chair the Control Group as specified in the Municipal Code, Chapter 59.

Membership of the Emergency Management Working Group

The EMWG will develop a work plan for the Emergency Management Program, based on TEMPC's priorities. Each ABCCD will develop its own emergency work plan and budget for approval by TEMPC, prior to submission to Council for its consideration, except for Fire Services, EMS and the Toronto Police, whose budgets are primarily related to emergency response. The EMWG will ensure that the Program and work plans are integrated and coordinated.

The EMWG and the OEM will work in collaboration to support emergency management across ABCCDs. Including senior representatives from the ABCCDs on the EMWG will engage them in the Program, as they will influence the priorities and direction of the Program as a whole and encourage participation in the Program.

The EMWG will consist of senior representatives (Director or Manager) from the following:

1. Office of Emergency Management (Chair)
2. Toronto Police Services
3. Fire Services
4. Emergency Medical Services
5. Toronto Public Health
6. Strategic Communications

7. Toronto Water
8. Transportation Services
9. Shelter, Support and Housing Administration
10. Toronto Building
11. Toronto Transit Commission
12. Purchasing and Materials Management
13. Facilities and Real Estate
14. Technical Services
15. Solid Waste Management Services
16. Parks, Forestry and Recreation
17. Toronto Partnership Office
18. Finance and Administration
19. Human Resources
20. Information and Technology

Representatives from other Divisions will be represented on the EMWG as considered necessary from time-to-time

Joint Operations Team

Of the twenty members of the EMWG listed above, the first eleven will form the default Joint Operations Team (JOT).

During a response, the JOT will establish and convene at the Joint Operations Centre, an identified location from which to provide operational guidance and support to the Incident Commanders from the emergency services in charge of the emergency at the site. While the City has already established Divisional Operations Centres (DOC) to provide operational support during an emergency response, there is a need to centralize efforts and coordinate operational responses between all responding Divisions. Roles and responsibilities are defined in the revised Emergency Plan attached as Appendix 1 to this report.

The JOT will consist of senior operational decision-makers working at the Joint Operations Centre, and will be responsible for coordinating the operational responses between the ABCCDs and the tactical responders during an emergency. The Joint Operations Centre will still maintain the decentralized operational structure envisioned by the City and reflected in the DOC structure; however, it will also provide a more unified control structure at the operational level, as well as ensure that resources are provided to the tactical on-scene command posts in a coordinated manner, while maintaining an awareness and control of available resources.

Advisory Panel

The role of the Advisory Panel will be to assist and provide support to the TEMPC as required. Although there is no formal membership for this group, it will typically include, but not be limited to:

- Toronto and Region Conservation Authority
- Toronto Port Authority
- Toronto Hydro Electric Commission
- Enwave Energy Corporation
- Enbridge
- Ontario Power Generation
- Bell Canada
- Insurance Bureau of Canada
- St. John Ambulance
- Canadian Red Cross
- Toronto District School Board
- Toronto Catholic District School Board
- Ontario Hospital Association
- Greater Toronto Airport Authority
- GO Transit
- Toronto Public Library Board
- Canadian Forces
- Emergency Management Ontario
- Toronto and York Region Labour Council
- Organized unions affiliated with the City of Toronto

The Office of Emergency Management will continue to partner and foster relationships with the Advisory Panel and attempt to ensure strong relationships with those outside organizations that could assist with emergency management in the City. Additional organizations will be added to the Advisory Panel as they are identified. Some of the organizations listed above are new to the City's Emergency Management Program and we will seek out their support after Council approves the recommended changes to the by-law in this report.

Toronto Emergency Management Program Committee Authority

In order to ensure the Program and Plan are as current as possible without delay, it is recommended that Council delegate the authority to approve the Program and the Plan to the TEMPC. Under the Act, the Program and Plan must be approved by Council. It is the nature of emergency management that the Program and Plan are in an ongoing state of review and revision to take advantage of experience gained by responding to events. Improvements, in particular operational improvements to Divisions' response, should be implemented as soon as possible and without delay.

Revised Emergency Management Plan

The Emergency Management Plan, attached as Appendix 1, ensures that the City has a comprehensive and effective approach to implement the Emergency Management Program. The Emergency Management Plan has been revised to ensure consistency with the revisions to Municipal Code, Chapter 59, attached as Appendix 2, in terms of the governance structure and committee membership.

The definition of *Recovery* has been revised to provide a clearer expectation that coordinated actions are required to help support affected communities in the reconstruction of the physical infrastructure, as well as to restore the emotional, social, economic and physical well being of its residents.

Emergency Management Program

The City's Emergency Management Program is founded on section 2.1 of the Act, which requires the City to include various components in its emergency management program and adopt them by by-law. Legislated requirements include an emergency plan; training and exercise programs; public education and outreach initiatives; identification and assessment of hazards and risks to public safety; and the development of a critical infrastructure list.

The OEM is responsible for developing and coordinating the Program, including the development of programs and plans to mitigate, prepare, respond and recover from adverse events that may affect the City of Toronto.

The current Program is based on the best practice elements of risk identification, mitigation, preparedness, response and recovery. Legislated requirements undertaken by the City include identification and assessment of hazards and risks to public safety; a reviewed and current emergency plan; training delivered to over 500 staff and key stakeholder organizations placements annually; conducting various types of exercises to ensure the readiness of employees and other persons to act under the emergency plan; a designated EOC; provide public education and outreach initiatives on risks to public safety and preparedness for emergencies, and; the identification of facilities and other elements of the infrastructure that are at risk of being affected by emergencies.

The legislated requirements are assessed annually through provincial review and Toronto achieves 100% compliance each year.

Emergency Planning Reserve

The City currently has the Emergency Planning Reserve, which was established by Council in 2002 to "provide funding to support the City's ability to deter threats from terrorism and to respond to emergencies brought about by terrorism and other

catastrophes”. The current balance is \$5.1 Million. However, this total balance is allocated for pandemic flu planning and preparedness.

The Province of Ontario provides financial assistance to individuals, small businesses, working farms, not for profit organizations and municipalities whose essential property has been damaged in a sudden and unexpected natural disaster, such as a severe windstorm, tornado, flood, etc. The Ontario Disaster Relief Assistance Program (ODRAP) helps eligible recipients restore essential furnishings and property only to pre-disaster conditions. It does not provide full cost recovery for all damages resulting from a disaster. ODRAP for municipalities is intended to ease financial hardship when essential public property and infrastructure have been damaged in a disaster declared by the Minister of Municipal Affairs and Housing. ODRAP is not meant to replace adequate insurance coverage. Damage claims should be sent to the municipality's insurance policy holder to decide on how much insurance will cover.

For the Sunrise Propane explosion, the Ontario Ministry of Finance provided the City of Toronto with a grant of \$900,000 to help pay for the total cost of clearing and cleaning the residential and Sunrise sites. The total cost of the cleanup to the City of Toronto was approximately \$1.9 Million.

In the event of a very large natural disaster, the federal Disaster Financial Assistance Arrangements (DFAA) provides financial assistance to provincial and territorial governments; affected individuals, small businesses or communities are not eligible to receive funds.

Sunrise Propane Explosion

To prevent reoccurrences of the Sunrise Propane explosion, the Ministry of Small Business and Consumer Services appointed an independent panel in August 2008 to conduct a Propane Safety Review. The panel consulted with the Technical Standards and Safety Authority, Ontario industry advisory councils and other key industry, federal, provincial, municipal, retail and other stakeholders in the review of the legislative framework of the propane industry. They published their recommendations in November 2008. In December 2008, the Province made changes to regulations under the Technical Standards and Safety Act (2000). City staff were consulted by the Propane Safety Review panel and met with Technical Standards and Safety Authority and provincial staff earlier this year to further discuss how to improve oversight of the propane industry. Discussions with the Ministry of Small Business and Consumer Services are ongoing.

Next Steps

Staff will bring forward a bill to adopt the governance structure of emergency management in Municipal Code, Chapter 59, Emergency Management.

The Office of Emergency Management will conduct an assessment of administrative and operational recommendations contained in the consultant's program review, for consideration in future capital and operating budgets. The program review recommends that the City of Toronto inject the necessary financial and human resources to meet the City's legislated and proposed objectives. Further improvements impacting operational and administrative elements of the Program will be phased in as resources are made available through the annual capital and operating budget processes.

City Planning staff are reviewing the issue of propane facilities in their review of the Zoning By-law.

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SIGNATURES

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Richard Butts
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ATTACHMENTS

Appendix 1: City of Toronto Emergency Plan
Appendix 2: Municipal Code, Chapter 59, Emergency Management