



John Tory
Mayor

Date: April 27, 2020
To: City Council
From: Mayor John Tory
Subject: **Mayor's Report on the COVID-19 Emergency pursuant to Municipal Code Chapter 59, Emergency Management**

Introduction:

It has been just over a month since I declared a State of Emergency in the City of Toronto and less than 30 days since I took action under Municipal Code Chapter 59.

The emergency declaration came at a critical time – there were at the time only 304 cases of COVID-19 and almost all of those cases were still traceable to travel or a close contact with the virus.

I looked – as I do on all public health matters – to Dr. Eileen de Villa's professional advice. Her advice then, which it remains now, was that we needed as many people to stay home as much as possible, to get all people in the city to keep their distance from one another, to protect the vulnerable, and to keep from overwhelming our health care system.

In order to protect the health of the city and save lives, we took action.

I declared a municipal emergency – the first time in the City's history – to allow us to respond quickly and decisively to the pandemic. To make sure we would always be able to make the quick decisions needed during this crisis.

While we know this health emergency continues and it will continue for some time, we are making progress and just last week we had reason to have cautious optimism that we are slowing the spread of COVID-19 and thanks largely to the physical distancing efforts of Toronto residents, we are saving thousands of lives.

But this month has not been without tragedy.

COVID-19 is leaving a devastating trail in our community. More than 274 residents have died, leaving behind loved ones and friends.

We mourn with these grieving families and we remain committed to preventing as much loss of life as possible during this global pandemic.

During this emergency, Toronto residents and businesses have risen to the challenge and embraced Dr. de Villa's wise words: stay home, stay safe, and take care of each other.

I want to thank the hundreds of thousands of Toronto residents who have done the right and the responsible thing and helped us in this ongoing war to flatten the curve and defeat this virus. They have saved lives. And by continuing to do the right thing and stay home as much as possible, they are continuing to save lives.

I am so proud of this City government and this City Council and how it has responded to this ongoing emergency.

In the face of all of these challenges, so much good work at wartime speed has been done by Dr. de Villa and her public health team, the emergency operations centre led by Chief Matthew Pegg, and staff across each and every city division under the leadership of our City Manager Chris Murray. In responding to this emergency, these individuals and their teams have represented the very best of public service, and have worked tirelessly for weeks to ensure this city remains safe, and that we continue to provide critical services for our residents in these uncertain times.

This report provides an update on the ongoing emergency and a path forward that will ensure the City government can continue to respond to the emergency, administer other necessary City business, and ensure our focus remains on protecting the health of all our residents and saving lives.

We're all in this together and it's only by working together that we can beat COVID-19.

Recommendations:

1. City Council authorize an extension of the Mayor's delegated authority under Chapter 59, Emergency Management until the COVID-19 municipal emergency has been declared as terminated.
2. City Council amend Physical Distancing By-laws 322-2020 and 323-2020, authorizing an extension of the By-laws to provide that they remain in effect until the municipal emergency has been declared as terminated, or until Council rescinds those by-laws, whichever is first.

Background

On March 17, 2020, Premier Ford declared a State of Emergency in the Province of Ontario under section 7.0.1(1) of the Emergency Management and Civil Protection Act in response to the novel coronavirus (COVID-19).

On March 23, 2020, on the advice of the Medical Officer of Health and the Office of Emergency Management, I declared an emergency in the City of Toronto under section 4 of the Emergency Management and Civil Protection Act, and section 59-5.1 of City of Toronto Municipal Code Chapter 59, Emergency Management.

On April 2, 2020 I exercised authority delegated to me under s. 59-6.1(A) of City of Toronto Municipal Code Chapter 59, Emergency Management. Within 30 days of my first exercise of that authority I am required to report to City Council providing:

- (1) The justification for having exercised the delegated authority.
- (2) An outline of the actions taken with the delegated authority.
- (3) Any recommendations arising from the emergency.

Declaration of State of Emergency

As the virus began to spread in our community, it became clear that the City needed to be able to respond quickly to the pandemic. On the advice of the Medical Officer of Health and the Office of Emergency Management, I declared an emergency in the City of Toronto on March 23, 2020, to allow us to respond quickly to the rapidly evolving situation.

At the time, we knew the number of COVID-19 cases was continuing to increase in our city and that the next few days were absolutely critical in our ongoing efforts to slow down the spread of COVID-19. In making this declaration, I strongly encouraged our residents to continue taking every precaution in protecting themselves – stay home, stay safe, and only venture out to buy essential supplies once a week.

This declaration sent the strongest possible message to our residents to stay home and to change their behaviour – it was crucial to protect the health of our residents and to save lives.

This decision was not taken lightly. It was part of an ongoing overall collaborative effort and cooperation with the Government of Canada led by Prime Minister Justin Trudeau and the Government of Ontario led by Premier Doug Ford – both of whom I continue to work very well with throughout this crisis.

We know the only way through this pandemic is by relying on the advice of our public health professionals. It is my intention to continue to rely upon the advice of the Medical Officer of Health, to determine when the emergency is over. We continue as well to

work closely with the Provincial government in this regard and it can be expected that our emergency will last at least until such time as the Province has declared its state of emergency over.

Right now across Toronto, our healthcare workers are continuing to confront the reality of COVID-19. I made this emergency declaration in support of our healthcare and front line workers, including all of the City workers focused on this crisis, to make sure we flatten the curve, and protect our healthcare system.

While the declaration does not change the Level 3 status of the City's Emergency Operations Centre, it does provide City staff with the necessary flexibility to access resources in a more timely way so it can continue to keep the city functioning and safe.

I will consult closely with members of Council on the decision to terminate the emergency declaration, and while the State of Emergency may last as long as required to respond to COVID-19, it is my intention that we will be able to return to some regular scheduled business now that Council has the authority to meet virtually.

Actions under Delegated Authority

The Medical Officer of Health has continued to emphasize the importance of physical distancing to prevent community spread of COVID-19. As the emergency unfolded, it became clear to me that reminders and education alone were not changing public behaviour quickly enough in our parks and squares – areas which we have a responsibility to oversee as a municipal government.

I heard from many councillors and from a large number of residents either directly to my office or through the 311 call centre that hundreds of Torontonians were not abiding by the advice and direction of the MOH to physically distance and I believed this represented a threat to public health and a possible prolongation of the shutdown. In consultation with the Medical Officer of Health and our Senior Leadership Team, as well as members of Council, I determined that exercising the authority delegated to me under the Emergency Management Chapter was necessary.

On April 2, and 3, 2020, I issued Emergency Orders 1 and 2 to impose regulations requiring physical distancing within Parks and Public Squares. I subsequently enacted two By-laws to give effect to these measures: By-laws 322-2020 and 323-2020. These By-laws are in effect for 30 days from April 2, 2020.

Physical distancing continues to be a key component of the City's response to the COVID-19 emergency. I have consulted with the Medical Officer of Health and she believes these measures must continue to be in place to protect the health of the city and to save lives. Based on that professional public health advice, I believe that these measures should be left in place for a further period of one month, or until such time as Council rescinds the by-laws, or the State of Emergency has been declared as over.

We cannot risk negating the success we have had in limiting the spread of the virus. I know we all want this to end as quickly as it is safe to do so and I know that will only come about as a result of continuing to limit interactions between people.

Processing Legislative Business will Continue

The Province has enacted legislation that permits municipal councils to amend their procedures to hold remote meetings and count Members for quorum in those meetings during a declared emergency. This will allow Council to transact business during this emergency period.

However, with Provincial restrictions on public gatherings to protect public health, building closures and the need to maintain physical distancing, City Council should be mindful about the kind of business it considers during the emergency to ensure that the public have the opportunity to engage with the decision-making process.

Furthermore, our City is focused on the public health crisis and making sure we do everything possible as a municipal government to help our residents, businesses and community groups get through the pandemic.

Given that there may be matters that need Council approval in a timely manner and we have the capability to meet remotely, I believe we should begin to process City business through Council that does not relate directly to the COVID-19 emergency response and, accordingly, I will call a special meeting of City Council within the next 30 days to consider outstanding and urgent new business, in addition to that which is already on this agenda.

Work is also underway on ensuring our city has a safe and successful restart and recovery. Alongside you, this will continue to be a critical focus of my work in the coming weeks and months, to ensure our city is prepared to emerge from this crisis as strong as possible. Our City Manager and his team will be engaging directly with members of Council on this critical work, and a full report on that work, for Council's approval, will be brought to the next Council meeting.

Critical to our response to this emergency, and our ability to rebuild quickly, is continued strong partnerships with other levels of government. I have been engaged from day one with provincial and federal ministers, as well as members representing Toronto in both of those governments, particularly with respect to the troubling state of the City's finances. I will continue to advocate directly to those governments about the need for financial support directly to Toronto so that we can continue to deliver the vital services our residents require. As a Council, we must be united in ensuring they continue to understand that Toronto's success is Ontario's and Canada's success.

It is my commitment to Members of Council and the public to keep them informed during this emergency.

As it is still ongoing, I will report regularly to City Council on any further exercise of my delegated authority during the emergency and will report again in full at the next Council meeting on the City's response to the emergency.

Conclusion

We have come a long way in the first few weeks of this public health emergency. I want to thank you for continuing to work with me throughout this crisis in a collaborative way, solely focused on protecting the health of our residents and saving lives.

There has been an almost unprecedented commitment to unity of purpose and collaboration between and among councillors and I hope that can continue.

I've said many times throughout this emergency that we are all in this together. I know we are united as a Council in confronting this deadly virus and I think that has been positively noted by residents of our great city.

I also know you share my appreciation of the people of this great city and how they, first and foremost, are rising to face this challenge – the greatest challenge of this generation. The vast majority of Toronto residents are following the advice of our public health officials – they are staying home as much as possible, they are keeping their distance from others, and, if they do test positive for the virus, they are self-isolating. These efforts by our residents and our businesses are helping save lives and will make sure our city emerges stronger than ever.

As I have said many times, all of the things which have consistently made Toronto one of the most admired cities in the world, founded on a unique set of values centered around respect, and caring – all of those fundamentals are still in place.

Now, the challenge for us is to get through this stage of the pandemic and then move to implement a careful health-focused plan to re-open our city and get back to our treasured way of life, while always recognizing and respecting the priority of overall public health. I look forward to continuing to lead within that context and working with you on the tasks which lie ahead.

John Tory
Mayor of Toronto

Attachment 1 – Summary of Actions Taken During Emergency

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The Medical Officer of Health and Toronto Public Health have taken a number of critical actions over the last month, including:

- Conducting more than 3,820 investigations into cases of COVID-19 to prevent further virus spread;
- Redeploying hundreds of staff to respond to this unprecedented situation;
- Issuing a class order under the Health Protection and Promotion Act requiring self-isolation for those with confirmed and suspected cases of COVID-19 and their close contacts;
- Collaborating with City Information Technology Division to develop the Coronavirus Rapid Entry Case and Contact Management System (CORES);
- Developing, in collaboration with community scientists, enhanced expertise in epidemiological modeling to enable better understanding of the pandemic outbreak in our community;
- Promoting physical distancing by closing all park amenities, and cancelling recreation programs, City-led events and permits for events on streets and in City facilities; and
- Responding to nearly 18,000 calls to Toronto Public Health.

Under the Declaration of Emergency, the City has also taken several important actions, which include:

- Continued emergency planning efforts, including establishing dedicated operational taskforces, securing supplies of important personal protective equipment for frontline workers, and simultaneously preparing to address other environmental risks such as flooding;
- Enforcing the provincial Emergency Management and Civil Protection Act and the orders issued by the Medical Officer of Health under the Health Protection and Promotion Act. This includes issuing:
 - o 64 tickets to non-essential businesses, 133 notices and educating 60 people.
 - o 477 tickets for non-compliance in parks, 728 notices and educating 10,654 people.
 - o 49 tickets for gatherings of more than five people.
- Creating more capacity for physical distancing within the shelter system which includes opening 11 new shelter facilities with more than 470 new spaces, securing 11 hotels with more than 1,020 rooms, and establishing one hotel with 200 rooms as a dedicated recovery site;
- Developing an innovative solution to promote physical distancing for Ontario Works recipients picking up their cheques;
- Implementing the Food Access Strategy, developed with community groups to ensure continued food access for Toronto's seniors and most vulnerable people.

This strategy included opening temporary food banks in 11 Toronto Public Library branches and activating additional community resources to deliver food hampers to those in need;

- Opening six emergency child care centres to offer free child care 24/7 for frontline healthcare workers and essential City employees. This program has provided care for nearly 300 children and helped more than 200 families;
- Providing support for businesses through the newly launched BusinessTO Support Centre, tripling funding for Digital Main Street to help businesses develop expand their businesses online, and leveraging the expertise of the business and technology sector to launch [Distantly.ca](https://distantly.ca), an online donation tool where people can donate to their favourite small businesses;
- Launching DonateTO, an online portal which allows businesses and residents to make donations of products, services and funds in support of the City's pandemic relief efforts. So far, more than \$1.7 million in donations has been received;
- Maintaining service levels for organic, garbage and recycling collection, and resuming yard waste collection;
- Redeploying approximately 500 City staff to provide much-needed support for critical City service areas such as shelters and long-term care homes;
- Highlighting mental health resources to support people experiencing distress during this time;
- Prioritizing communications with both the public and our employees with 311 responding to approximately 102,000 calls, holding regular news briefings and live streaming these on YouTube, and having more than 8,000 staff participate in a virtual Town Hall with the City Manager;
- Developing plans to host the first-ever virtual Toronto City Council meeting so that Council can continue to work together to serve the public; and much more.