

PRESENT

Paul Ainslie, Chair
Dave Barton, Vice Chair
Kevin Ashe
Joanne Dies
Paula Fletcher
Chris Fonseca
Laura Isidean
Parthi Kandavel (arrived at 9:44 a.m.)
Joe Li
Jennifer McKelvie
Amber Morley
Joseph Ogilvie (left at 10:29 a.m.)
Anthony Perruzza (arrived at 9:46 a.m.)
Mario Russo
Dianne Saxe
David West

ABSENT

Navjit Kaur Brar
Vincent Crisanti
Stephen Dasko
Linda Jackson
Hugo Kroon
Jamaal Myers
Steve Pellegrini
Gord Perks
Anub Simson
Rowena Santos
Connie Tang
Barry Warner

1. CALL TO ORDER

Board of Directors Meeting #3/24 was held via videoconference, on March 22, 2024. The Chair, Paul Ainslie, called the meeting to order at 9:37 a.m.

2. ACKNOWLEDGEMENT OF INDIGENOUS TERRITORY

The Chair recited the acknowledgement of Indigenous Territory.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None.

4. MINUTES OF THE TRCA BOARD OF DIRECTORS MEETING #2/24, HELD ON FEBRUARY 23, 2024

RES.#A 36/24

Moved By: Joanne Dies

Seconded By: Kevin Ashe

THAT the Minutes of the Board of Directors Meeting #2/24, held on Friday February 23, 2024, be approved.

Carried

5. DELEGATIONS

None

6. PRESENTATIONS

None.

7. CORRESPONDENCE

None.

8. SECTION I - ITEMS FOR BOARD OF DIRECTORS ACTION

8.1 TRCA COMMEMORATIVE ASSETS NAMING GUIDELINES AND PRINCIPLES

RES.#A 37/24

Moved By: Amber Morley

Seconded By: Mario Russo

WHEREAS the Naming of TRCA Assets Policy was last updated in 2003;

AND WHEREAS the current policy can be updated to take into consideration Indigenous history, engagement efforts and to reflect TRCA's 2022 People First Diversity, Equity and Inclusion Strategic Playbook;

THEREFORE LET IT BE RESOLVED THAT TRCA's Commemorative Assets and Facility Naming Guidelines and Principles as outlined within this report, be endorsed;

AND FURTHER THAT TRCA staff prepare an updated Commemorative Assets and Facility Naming Policy for consideration based on the endorsed guidelines and principles.

Carried

8.2 CONSERVATION AUTHORITIES ACT LEGISLATIVE AND REGULATORY AMENDMENTS EFFECTIVE APRIL 1 2024

RES.#A 38/24

Moved By: Amber Morley
Seconded By: Mario Russo

WHEREAS the pending proclamation of amendments to the Conservation Authorities Act (CA Act) and associated regulations, as summarized in this report, come into force on April 1, 2024;

THEREFORE, LET IT BE RESOLVED that the Interim Policy and Procedure Guidance set out in the attachments to this report be approved for implementation of the legislative and regulatory changes;

AND FURTHER THAT effective April 1, 2024, pursuant to Section 21.2 of the CA Act, the Board of Directors delegate decisions related to requests for the reconsideration of fees to the Chief Executive Officer;

AND FURTHER THAT effective April 1, 2024, pursuant to Section 28.4 of the CA Act and associated regulation, the Board of Directors designate the following senior positions under to approve and sign permits: Chief Executive Officer, Director, Development and Engineering Services, Associate Director, Senior Manager, and Senior Planner positions within the Development Planning and Permits Business Unit and Associate Director, Senior Manager, and Senior Planner positions within the Infrastructure Planning and Permits Business Unit;

AND FURTHER THAT effective April 1, 2024, pursuant to Section 28.4 of the CA Act and associated regulation, the Board of Directors delegate decisions related to requests for the reconsideration of complete application determinations to the Chief Executive Officer;

AND FURTHER THAT the Clerk and Manager of Policy so advise the Ministry of Natural Resources and Forestry, TRCA municipal partners, Conservation Ontario and the TRCA-BILD Working Group.

Carried

8.3 CONSERVATION AUTHORITIES ACT REGULATED AREA MAPPING

RES.#A 39/24

Moved By: Amber Morley
Seconded By: Mario Russo

WHEREAS in 2019, TRCA staff undertook the first jurisdiction-wide update to TRCA's Section 28 Regulation mapping update since 2006 in

consultation with member municipalities, the public, and the building industry;

AND WHEREAS at TRCA Board of Directors Meeting #6/19, held on Friday, June 21, 2019, Resolution #A116/19 was approved, stating that staff continue to make updates to the Regulation mapping on an annual basis;

AND WHEREAS staff have now updated the regulated area mapping to reflect the most currently available information as well as the technical requirements of Ontario Regulation 41/24 that will come into effect on April 1, 2024;

THEREFORE, LET IT BE RESOLVED THAT the 2023 updates to the regulation mapping be endorsed by the TRCA Board of Directors for internal use, for municipal staff screening purposes, and for public viewing on TRCA's website;

AND FURTHER THAT the Clerk and Manager of Policy so advise the Ministry of Natural Resources and Forestry, TRCA municipal partners, Conservation Ontario and the TRCA-BILD Working Group.

Carried

8.4 APPOINTMENT OF OFFICERS FOR UNDER SECTION 30.1 FOR THE PURPOSE OF ENSURING COMPLIANCE WITH THE CONSERVATION AUTHORITIES ACT AND REGULATIONS

RES.#A 40/24

Moved By: Amber Morley
Seconded By: Mario Russo

WHEREAS TRCA has 9 full time Enforcement Officers appointed under O. Reg. 166/06 and R.R.O. 1990, Reg. 119 of the Conservation Authorities Act, for enforcement and compliance with Section 28 and 29 of the Act and its regulations, and has 10 staff members within TRCA's Conservation Parks appointed as officers to aid in Section 29 compliance initiatives pursuant to the Section 29 regulation;

AND WHEREAS pursuant to the pending proclamation of amendments to the Conservation Authorities Act the appointment of officers now falls under Section 30.1 of the Act as of April 1, 2024;

THEREFORE, LET IT BE RESOVLED THAT all existing appointments of officers for Section 28 and 29 enforcement remain valid until Section 30.1 comes into force on April 1, 2024;

AND FURTHER THAT TRCA's Board of Directors appoint all existing officers, as listed in Attachment 1, pursuant to Section 30.1 of the Conservation Authorities Act effective April 1, 2024.

Carried

8.5 KEATING CHANNEL PARTNERSHIP DREDGING PROGRAM 2024-2026

RES.#A 41/24

Moved By: Paula Fletcher
Seconded By: Amber Morley

WHEREAS Keating Channel currently has a backlog of sediment that must be removed from to achieve flood protection;

WHEREAS the City of Toronto has approved \$12 million to fund Keating Channel dredging as part of the 2024 budget process and has forecasted another \$12 million in 2025, subject to budget approval;

WHEREAS Toronto and Region Conservation Authority (TRCA) will be entering into a revenue agreement with the City of Toronto to fund dredging operations in Keating Channel;

WHEREAS TRCA has an MOU with PortsToronto where TRCA has committed to give due consideration to Ports Toronto when procuring services which are within their core competency, such as dredging;

WHEREAS working with PortsToronto to complete dredging is the best option based on their expertise, history working in the Keating Channel, and costs for other sediment disposal considerations;

IT IS THEREFORE RECOMMENDED THAT TRCA enter into an agreement with PortsToronto for the dredging of Keating Channel at a total cost not to exceed \$12 million in 2024, with the option of extending the agreement into future years pending funding approval through the City's annual budget process;

AND FURTHER THAT authorized TRCA officials be directed to take whatever action may be required to implement the contract agreement with PortsToronto within City of Toronto approved budget envelopes, including the obtaining of necessary approvals, procurement of supporting engineering or environmental services if required, and the signing and execution of associated documents.

Carried

9. SECTION III - ITEMS FOR THE INFORMATION OF THE BOARD

9.1 CHANGE ORDER FOR CONTRACT 10035673 - CUDMORE CREEK WETLAND AND TRAILHEAD PROJECT

RES.#A 42/24

Moved By: Dianne Saxe
Seconded By: Kevin Ashe

IT IS RECOMMENDED THAT the report on the Change Order for Contract 10035673 – Cudmore Creek Wetland and Trailhead Improvement Project, be received, for information.

Carried

9.2 SERVICE DELIVERY REPORT FOR SECTION 28 PERMIT APPLICATIONS, 2023

RES.#A 43/24

Moved By: Dianne Saxe
Seconded By: Kevin Ashe

IT IS RECOMMENDED THAT the Service Delivery Report for Section 28 Permit Applications, 2023 be received for information.

Carried

9.3 2023 ECOSYSTEM COMPENSATION PROGRAM AND FINANCES SUMMARY REPORT

RES.#A 44/24

Moved By: Dianne Saxe
Seconded By: Kevin Ashe

IT IS RECOMMENDED THAT the 2023 Ecosystem Compensation Program and Finances Summary Report be received for information;

AND THAT staff report back with recommended improvements to the Program based on consultation with municipal partners, Building Industry and Land Development Association (BILD), and other interested parties.

Carried

9.4 FINAL UPDATE AND PROGRESS REPORT ON MUNICIPAL MEMORANDUMS OF UNDERSTANDING

RES.#A 45/24

Moved By: Dianne Saxe

Seconded By: Kevin Ashe

THAT the Final Update and Progress Report on Municipal Memorandums of Understanding, be received;

THAT Board of Directors members work with the leadership of their municipalities to move forward municipally requested work with TRCA, as enabled under approved and executed MOUs with municipalities;

THAT the remaining municipal partners that have not already executed their advanced stage MOU's with TRCA be requested to do so;

AND FURTHER THAT the Clerk and Manager, Policy, circulate this report to TRCA's municipal partners, the Ministry of Natural Resources and Forestry (MNR), Conservation Ontario, neighbouring conservation authorities, and the Ministry of Municipal Affairs and Housing (MMAH).

Carried

10. MATERIAL FROM EXECUTIVE COMMITTEE MEETING

10.1 SECTION I - ITEMS FOR BOARD OF DIRECTORS ACTION

10.1.1 ACQUISITION FROM WHITE OWL GROUP PROPERTIES LIMITED

RES.#A 46/24

Moved By: Laura Isidean

Seconded By: Dave Barton

THAT 8.91 hectares (22.017 acres), more or less, of vacant land, located south of 5th Concession Road and east of Church Street North, said land being Part of Lot 13, Concession 4, designated as Parts 1 and 2 on Registered Plan 40R-30476, municipally known as 2290 Greenwood Road, in the Town of Ajax, Regional Municipality of Durham, be purchased from White Owl Properties Limited;

THAT the Ecosystem Compensation Agreement (ECA) reflects the terms and conditions set out in this report and that this conveyance be subject to executing the ECA;

THAT the purchase price of the ecosystem compensation lands be \$2.00;

THAT Toronto and Region Conservation Authority (TRCA) accept payment from White Owl Properties Limited in the amount of \$187,794.60 as

additional compensation to the land conveyance for off-site ecosystem compensation and costs associated with the land conveyance;

THAT TRCA receive conveyance of the land free from encumbrance to the satisfaction of TRCA and subject to existing service easements;

THAT the transaction be completed at the earliest possible date and all reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid by TRCA;

AND FURTHER THAT authorized TRCA officials be directed to take the necessary action to finalize the transaction, including obtaining any necessary approvals and the signing and execution of documents.

Carried

10.1.2 ACQUISITION FROM CPSP ANNANDALE NOMINEE INC.

RES.#A 47/24

Moved By: Laura Isidean

Seconded By: Dave Barton

THAT 34.55 hectares (85.38 acres), more or less, of vacant land, located east of Church Street South and north of Bayly Street, said land being Parts 1 to 15 inclusive on Plan 40R-13916 save and except Part 1 on Plan 40R-25769 and Parts 1 to 8 on Registered Plan 40R-32490, municipally known as 221 Church Street South, in the Town of Ajax, Regional Municipality of Durham, be purchased from CPSP ANNANDALE NOMINEE INC.;

THAT the purchase price be \$2.00;

THAT Toronto and Region Conservation Authority (TRCA) receive conveyance of the land free from encumbrance, subject to existing service easements, and in an environmental condition that is to the satisfaction of TRCA staff and subject to the Town of Ajax entering into a Management Agreement with TRCA for the land;

THAT the transaction be completed at the earliest possible date with all reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements to be paid by TRCA;

AND FURTHER THAT authorized TRCA officials be directed to take the necessary action to finalize the transaction, including obtaining any necessary approvals and the signing and execution of documents.

Carried

10.1.3 PERMANENT EASEMENT REQUEST FROM AMEXON HOLDINGS CORPORATION

RES.#A 48/24

Moved By: Laura Isidean
Seconded By: Dave Barton

THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from Amexon Holdings Corporation for a permanent easement required for an existing outfall, located north of Sheppard Avenue East and West of Leslie Street, in the City of Toronto, Don River watershed;

AND WHEREAS it is in the best interest of TRCA in furthering its objectives as set out in Section 20 of the Conservation Authorities Act to cooperate with Amexon Holdings Corporation in this instance;

THEREFORE, LET IT BE RESOLVED THAT a permanent easement containing 0.0139 hectares (0.0344 acres), more or less, of vacant land, required for existing outfall, designated as Parts 7 and 8 on draft Registered Plan by R. Avis Surveying Inc., Project No: 2688-14 and Drawing No: 2688-14R.DWG, in the City of Toronto, be conveyed to Amexon Holdings Corporation;

THAT consideration be \$447,200 plus applicable taxes; all legal, appraisal, survey and other costs to be paid by Amexon Holdings Corporation;

THAT Amexon Holdings Corporation is to fully indemnify TRCA from any and all claims from injuries, damages or costs of any nature resulting in any way, either directly or indirectly, from this conveyance or the carrying out of construction;

THAT an archaeological investigation be completed, with any mitigation measures being carried out to the satisfaction of TRCA staff, at the expense of Amexon Holdings Corporation;

THAT a permit pursuant to Ontario Regulation 166/06, as amended, be obtained by Amexon Holdings Corporation prior to the commencement of construction;

THAT all TRCA lands disturbed by the proposed works be revegetated/stabilized following construction and where deemed

appropriate by TRCA staff, a landscape plan be prepared for TRCA staff review and approval in accordance with existing TRCA landscaping guidelines, at the expense of Amexon Holdings Corporation;

THAT written notice of the proposed disposition be provided to the Minister of Natural Resources and Forestry least 90 days before the disposition in accordance with Section 21(2) of the Conservation Authorities Act;

AND FURTHER THAT authorized TRCA officials be directed to take the necessary action to finalize the transaction, including obtaining any necessary approvals and the signing and execution of documents.

Carried

10.1.4 PERMANENT EASEMENT FOR CITY OF TORONTO FOR THE DVP SANITARY SEWER RELOCATION PROJECT

RES.#A 49/24

Moved By: Laura Isidean

Seconded By: Dave Barton

WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the City of Toronto for the conveyance of a permanent easement on TRCA-owned lands located north of Don Valley Parkway (DVP) and west of Millwood Road, in the City of Toronto, required for DVP Sanitary Sewer Relocation Project, Don River watershed;

AND WHEREAS it is in the best interest of TRCA in furthering its objectives as set out in Section 20 of the Conservation Authorities Act to cooperate with the City of Toronto in this instance;

THEREFORE LET IT BE RESOLVED THAT a parcel of TRCA-owned land containing 0.15 hectares (0.38 acres), more or less, of vacant land, required for DVP Sanitary Sewer Relocation Project designated as Parts 9-12 (inclusive) on draft Registered Plan by Tulloch Geomatics Inc., File:202029 EX142B, in the City of Toronto, be conveyed to the City of Toronto;

THAT consideration be the nominal sum of \$2.00 and all legal, survey and other costs to be paid by Metrolinx;

THAT the City of Toronto is to fully indemnify TRCA from any and all claims from injuries, damages or costs of any nature resulting in any way, either directly or indirectly, from this conveyance or the carrying out of construction;

THAT an archaeological investigation be completed, with any mitigation measures being carried out to the satisfaction of TRCA staff, at the expense of Metrolinx;

THAT the Minister of Natural Resources and Forestry be informed of this disposition for municipal infrastructure in accordance with Section 21(6) of the Conservation Authorities Act;

AND FURTHER THAT authorized TRCA officials be directed to take the necessary action to finalize the transaction, including obtaining any necessary approvals and the signing and execution of documents.

Carried

10.1.5 ASSET RETIREMENT OBLIGATIONS

RES.#A 50/24

Moved By: Laura Isidean
Seconded By: Dave Barton

THAT the Asset Retirement Obligations Policy be approved.

Carried

10.1.6 INVESTMENT STATEMENT OF POLICY AND PROCEDURES UPDATE

RES.#A 51/24

Moved By: Laura Isidean
Seconded By: Dave Barton

THAT TRCA's Investment Statement of Policy and Procedures Updates be approved.

Carried

10.2 SECTION II - ITEMS FOR EXECUTIVE COMMITTEE ACTION

10.2.1 APPLICATION FOR PERMITS PURSUANT TO S.28.0.1 OF THE CONSERVATION AUTHORITIES ACT (MINISTER'S ZONING ORDER, ONTARIO REGULATION 156/22)

RES.#A 52/24

Moved By: Linda Jackson
Seconded By: Mario Russo

WHEREAS, as adopted at the October 23, 2020, Board of Directors meeting (amended Res. #A164/20), that in recognition of Toronto and Region

Conservation Authority's (TRCA) role as a watershed management and regulatory agency, and stewards of lands within TRCA's jurisdiction, the Board of Directors does not support development within wetlands;

WHEREAS TRCA using a science-based approach to decision making and TRCA's Living City Policies for Planning and Development in the Watersheds of the TRCA (LCP), would not customarily support the issuance of a permit in support of development within the natural system, including wetlands, to facilitate new development;

WHEREAS the Minister of Municipal Affairs and Housing (MMAH) issued a Minister's Zoning Order (MZO) for the subject properties on March 4, 2022, as Ontario Regulation 156/22;

WHEREAS TRCA staff were consulted prior to the MZO being requested and identified the proposed development will result in the removal and substantial alteration of significant natural features and natural hazards including valley corridors, stream corridors, wetlands, woodlands, watercourses, floodplains and erosion hazards which would be contrary to applicable planning policies;

WHEREAS TRCA staff, in the absence of an approved MZO, would not normally issue a Section 28 TRCA permit where the proposed development involves the removal of the natural system including valley and stream corridors, wetlands, watercourses, floodplains and erosion hazards;

WHEREAS Section 28.0.1 of the Conservation Authorities Act requires the Authority to grant permission for a development project that has been authorized by an MZO issued under the Planning Act, and where the lands in question are not located within a Greenbelt Area under the Greenbelt Act;

WHEREAS Section 28.0.1(6), of the Conservation Authorities Act, permits the Authority to attach conditions to the permission, including conditions to mitigate any effects the development may have on the control of flooding, erosion, dynamic beaches, or unstable soil or bedrock, and/or in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property;

WHEREAS Section 28.0.1(24), of the Conservation Authorities Act, provides that where a permit is to be issued pursuant to Ontario Regulation 166/06, the applicant is required to enter into an agreement with the Conservation Authority;

WHEREAS Section 28.0.1(25), of the Conservation Authorities Act, provides that the agreement shall set out actions or requirements that the holder of the permission must complete or satisfy to compensate for ecological impacts and any other impacts that may result from the development project;

AND WHEREAS TRCA's Board of Directors, in the absence of an approved MZO, would not normally approve of such permits, but must do so in accordance with the requirements of Provincial legislation;

THEREFORE, LET IT BE RESOLVED THAT OP Trust Jane St. Trust and Livall Holdings Limited, in the City of Vaughan be granted permission to undertake development in the form of topsoil stripping, grading and servicing associated with industrial development on the properties, subject to Standard Permit Conditions within Attachment 15 and Additional Permit Conditions within Attachment 16 hereto;

THAT TRCA staff seek full cost recovery in accordance with TRCA's Administrative Fee Schedule;

AND FURTHER THAT the Board of Directors authorize the entering into of an agreement or agreements related to the Permits for the site works and ecosystem compensation and restoration with the applicants, relevant agencies, utilities, and the City of Vaughan.

Carried

10.3 SECTION III - ITEMS FOR THE INFORMATION OF THE BOARD

10.3.1 MOTION TO REPORT BACK ON PROPOSED CHANGES TO ONTARIO'S ENVIRONMENTAL ASSESSMENT ACT

RES.#A 53/24

Moved By: Mario Russo

Seconded By: Jennifer McKelvie

BE IT RESOLVED THAT the Executive Committee request TRCA staff report back on the proposed changes to Ontario's Environmental Assessment Act with any recommendations for TRCA action, at the next available meeting.

Carried

10.4 SECTION IV - ONTARIO REGULATION 166/06, AS AMENDED

10.4.1 STANDARD DELEGATED PERMITS FOR RECEIPT - FEBRUARY 9, 2024

RES.#A 54/24

Moved By: Amber Morley

Seconded By: Joanne Dies

THAT standard delegated permits, permission for routine infrastructure works, minor works letters of approval, and permits after the fact /

resolution of violations granted by Toronto and Region Conservation Authority staff, in accordance with Ontario Regulation 166/06, as amended, which are listed below, be received.

Carried

10.4.2 STANDARD DELEGATED PERMITS FOR RECEIPT - MARCH 8, 2024

RES.#A 55/24

Moved By: Amber Morley
Seconded By: Joanne Dies

THAT standard delegated permits, permission for routine infrastructure works, minor works letters of approval, and permits after the fact / resolution of violations granted by Toronto and Region Conservation Authority staff, in accordance with Ontario Regulation 166/06, as amended, which are listed below, be received.

Carried

11. CLOSED SESSION

RES.#A 55/24

Moved By: Amber Morley
Seconded By: Anthony Perruzza

THAT the Board of Directors move into closed session, pursuant to Section C.4.(2)(a) of TRCA's Board of Directors Administrative By-Law, to discuss Item 11.1 - 2024 Cybersecurity and Data Protection Update, as the subject matter includes matters relating to the security of the property of TRCA.

Carried

RES.#A 56/24

Moved By: Amber Morley
Seconded By: Anthony Perruzza

THAT the Board of Directors rise and report from closed session at 10:29 a.m.

Carried

11.1 2024 CYBERSECURITY AND DATA PROTECTION UPDATE

RES.#A 57/24

Moved By: Parthi Kandavel
Seconded By: David West

IT IS RECOMMENDED THAT the 2024 Cybersecurity and Data Protection Update be received for information.

Carried

12. NEW BUSINESS

None.

13. ADJOURNMENT

ON MOTION from Anthony Perruzza, the meeting was adjourned at 10:38 a.m.

Paul Ainslie
Chair

John MacKenzie
Secretary-Treasurer