



# Toronto and Region Conservation Authority

## Board of Directors Meeting Revised Agenda

#6/19

June 21, 2019

9:30 A.M.

HEAD OFFICE, 101 EXCHANGE AVENUE, VAUGHAN

Pages

1. ACKNOWLEDGEMENT OF INDIGENOUS TERRITORY
2. MINUTES OF MEETING #5/19, HELD ON MAY 24, 2019  
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3. BUSINESS ARISING FROM THE MINUTES
4. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
5. PRESENTATIONS
  - 5.1 Rehana Rajabali, Senior Manager, Flood Risk Management, TRCA, in regard to Agenda Items 8.1 Toronto Islands Flood Characterization and Risk Assessment Project and 8.2. Flood Risk Management Update.  
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6. DELEGATIONS
  - 6.1 *Joe Cressy, Councillor, City of Toronto Ward 10, in regard to Agenda Item 8.1.*
  - 6.2 *Nathalie Karvonen, Executive Director, Toronto Wildlife Centre, in regard to Agenda Item 8.10.*
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Toronto and Region Conservation Authority (TRCA) voluntarily adheres to the investing regulations in the Municipal Act (the Act) in order to align its investing activities with those available to its partner municipalities. As the Act has been updated and TRCA's partner municipalities are no longer limited to a prescribed restricted list of eligible investments, TRCA is proposing to modernize its investment strategy to balance achieving greater potential returns with managing acceptable risk.

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To seek Board of Directors' endorsement of the jurisdiction-wide update to TRCA's Section 28 Regulation mapping based upon the most current information available related to regulated natural hazards and natural features.

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Update on the known impacts of the amendments to the Conservation Authorities Act on the programs and services offered to partner municipalities by Toronto and Region Conservation Authority (TRCA) and request for direction to pursue and execute updated memorandums of understanding and service level agreements with partner municipalities.

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Update to TRCA Board of Directors on the status of Metrolinx Lakeshore East Rail Corridor expansion arising from May 16, 2019, TRCA project update meeting held by Metrolinx with key stakeholders (Parks Canada, TRCA and City of Toronto).

**9.2 WORLD RIVERS DAY ACTIVITIES** 135

To inform and engage the Board of Directors on a proposed TRCA celebration of World Rivers Day through outreach and engagement activities focusing on raising awareness about the creeks and rivers in TRCA's jurisdiction and communicating TRCA's accomplishments related to watershed management.

10. **MATERIAL FROM EXECUTIVE COMMITTEE MEETING #5/19, HELD ON JUNE 7, 2019**

[Meeting Minutes Link](#)

10.1 **SECTION I - ITEMS FOR BOARD OF DIRECTORS ACTION**

10.1.1 **RISK MANAGEMENT POLICY**

Approval of Toronto and Region Conservation Authority's (TRCA) Risk Management Policy. (Exec. Minutes p.14/207)

10.1.2 **TOWN OF CALEDON - LICENCE AGREEMENT FOR BASEBALL DIAMOND, HUMBER RIVER WATERSHED**

Recommendation that Toronto and Region Conservation Authority (TRCA) enter into a licence agreement with Town of Caledon for operation of a baseball diamond, located at 13540 Caledon King Townline South, Palgrave, known as Bolton Camp, in the Town of Caledon, Regional Municipality of Peel, Humber River watershed. (Exec. Minutes p.26/207)

10.1.3 **ONTARIO HERITAGE TRUST AGREEMENT FOR GLASSCO PARK**

Toronto and Region Conservation Authority (TRCA) to enter into an updated agreement with Ontario Heritage Trust (OHT) for ongoing management, maintenance and stewardship of Glassco Park, located in the City of Vaughan, Regional Municipality of York, Humber River watershed. (CFN 61457) (Exec. Minutes p.31/207)

10.1.4 **GREENLANDS ACQUISITION PROJECT FOR 2016-2020**

Flood Plain and Conservation Component, Rouge River Watershed, Bruno and Michael Spinoso (CFN 61544). (Exec. Minutes p.36/207)

10.1.5 **GREENLANDS ACQUISITION PROJECT FOR 2016-2020**

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10.1.6 **REQUEST FOR A PERMANENT EASEMENT FOR THE TORONTO MAPLE COLLECTOR SEWER, CITY OF TORONTO, DON RIVER WATERSHED**

Receipt of a request from the City of Toronto for a permanent easement on Toronto and Region Conservation Authority (TRCA) - owned lands located east of Dufferin Street and north of Finch Avenue, in the City of Toronto, required for the Toronto Maple Collector Sewer, Don River watershed. (CFN 50751) (Exec. Minutes p.45/207)



**10.1.7 REQUEST FOR A PERMANENT EASEMENT FOR EXISTING UTILITY INFRASTRUCTURE, CITY OF BRAMPTON, REGIONAL MUNICIPALITY OF PEEL, ETOBICOKE CREEK WATERSHED**

Receipt of a request from the Alectra Utilities Corporation for a permanent easement required for existing utility infrastructure located on the east side of Mary Street and south of Moore Street, municipally known as 80 Mary Street, in the City of Brampton, Regional Municipality of Peel, Etobicoke Creek watershed. (CFN 61545) (Exec. Minutes p.49/207)

**10.1.8 REQUEST FOR A PERMANENT EASEMENT, NORTHWOOD PARK (SENTINEL ROAD AND GRANDRAVINE DRIVE), CITY OF TORONTO, HUMBER RIVER WATERSHED**

Receipt of a request from the City of Toronto for a permanent easement for a storm sewer for the City of Toronto's Basement Flooding Protection Program, on Toronto and Region Conservation Authority-owned lands located north of Sheppard Ave West and west of Keele Street, known as Northwood Park (Sentinel Road and Grandravine Drive), in the City of Toronto, Humber River watershed. (CFN 61458) (Exec. Minutes p.53/207)

**10.1.9 VENDOR OF RECORD ARRANGEMENT FOR SUPPLY AND DELIVERY OF VARIOUS AGGREGATES**

Award of Request for Proposal (RFP) No. 10021054 for a Vendor of Record (VOR) arrangement for supply and delivery of various aggregates for TRCA restoration and construction projects. (Exec. Minutes p.57/207)

**10.1.10 2018 AUDITED FINANCIAL STATEMENTS**

The 2018 audited financial statements are recommended for approval. (Exec. Minutes p.78/207)

**10.2 SECTION III - ITEMS FOR THE INFORMATION OF THE BOARD**

**10.2.1 INSURANCE PROGRAM UPDATE**

Report Summarizing Toronto and Region Conservation Authority's (TRCA) Insurance Program. (Exec. Minutes p.139/207)

**10.2.2 TRCA COMMENTS TO ENVIRONMENTAL REGISTRY OF ONTARIO (ERO)**

Toronto and Region Conservation Authority (TRCA) comments on the Government of Ontario's proposed amendments to the Environmental Assessment Act, 2010.

Modernizing Ontario's Environmental Assessment Program – Environmental Assessment Act (ERO # 013-5102). Discussion Paper: Modernizing Ontario's Environmental Assessment Program (ERO #013-5101). Bill 108, Schedule 6 (Amendments to Environmental Assessment Act) (Exec. Minutes p.143/207)

**10.2.3 TRCA COMMENTS TO ENVIRONMENTAL REGISTRY OF ONTARIO (ERO)**

Bill 108 - (Schedule 12) – The Proposed More Homes, More Choice Act: Amendments to the Planning Act (ERO #019-0016) (Exec. Minutes p.155/207)

**11. NOTICE OF MOTION**

**11.1 ROWENA SANTOS - RE. ENDORSING CITY OF BRAMPTON DECLARATION OF CLIMATE EMERGENCY**

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**12. ELECTION FOR VACANT CITY OF TORONTO POSITION ON TRCA'S EXECUTIVE COMMITTEE**

Referred from Board of Directors meeting #5/19, May 24, 2019.

TRCA Board of Directors Administrative By-law S. B.10: "Should a vacancy on the Executive Committee arise between Annual meetings, election for such positions will be held at the next regular meeting of the *Board of Directors*. All elections shall be in accordance with the *Board of Directors* Procedures for Election of Officials (*Appendix 3*)."

**13. CLOSED SESSION**

The Board of Directors shall enter into closed session, pursuant to Section C.4. of TRCA's Board of Directors Administrative By-law, as the subject matter consists of

C.4.(e) Litigation or potential litigation, including matters before administrative tribunals (being to discuss a staff report in regard to the status of TRCA staff involvement in Local Planning Appeal Tribunal appeals from August 2018 to June 2019; being to discuss a staff report in regard to a summary of outstanding litigation files)

**14. NEW BUSINESS**

NEXT MEETING OF THE BOARD OF DIRECTORS #7/19, TO BE HELD ON FRIDAY, JULY 26, 2019 AT 9:30 A.M. AT HEAD OFFICE, 101 EXCHANGE AVENUE, VAUGHAN

John MacKenzie, Chief Executive Officer

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### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Sameer Dhalla, Director, Development and Engineering Services

**RE:** **TORONTO ISLANDS FLOOD CHARACTERIZATION AND RISK ASSESSMENT PROJECT**  
Approval to adopt the Toronto Islands Flood Characterization and Risk Assessment Study as prepared by W.F. Baird & Associates Coastal Engineers Ltd.

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#### KEY ISSUE

Report back to the Board of Directors upon conclusion of the Toronto Islands Flood Characterization and Risk Assessment Project (*Amendment #B74/18*).

#### RECOMMENDATION

**IT IS RECOMMENDED THAT the Toronto Islands Flood Characterization and Risk Assessment Project report (May 2019) prepared by W.F. Baird & Associates Coastal Engineers Ltd. be received;**

**AND FURTHER THAT staff be directed to work with the City of Toronto to secure funding, regulatory approvals, and assist the City with the implementation of the flood mitigation alternatives identified in the Toronto Islands Flood Characterization and Risk Assessment Project including advancing a Class EA to facilitate implementation of flood protection works.**

#### BACKGROUND

At Executive Meeting #6/18, held on August 10, 2018, Resolution #B73/18 was approved as follows:

*THAT Contract #10008379 for flood risk characterization and risk assessment engineering services for the Toronto Islands be awarded to W.F. Baird & Associates Coastal Engineers Ltd. at a total cost not to exceed \$174,092.00, plus HST, as they are the highest ranked bidder that best meets Toronto and Region Conservation Authority (TRCA) specifications;*

*THAT TRCA staff be authorized to approve additional expenditures to a maximum of 10% of the total cost of the contract as a contingency allowance, if deemed necessary;*

*THAT should staff be unable to execute an acceptable contract with the awarded contractor, staff be authorized to enter into and conclude contract negotiations with the other contractors that submitted tenders, beginning with the next lowest bidder meeting TRCA specifications;*

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*AND FURTHER THAT authorized TRCA officials be directed to take all necessary actions to implement the contract, including the signing and execution of any documents.*

Also, at Executive Meeting #6/18, held on August 10, 2018, Amendment #B74/18 was approved as follows:

*AND FURTHER THAT that TRCA staff report back to the Board at the conclusion of the project.*

In the spring of 2017, water levels in Lake Ontario reached levels higher than had been measured since record keeping began in 1918. As of the time of writing this report those levels have now been matched. The effect of this flooding was significant on the Toronto Islands where over 800 residents, almost 30 businesses, and two schools were forced to adapt to rising waters and service disruptions. Notably, the closure of the Islands during peak season presented a major disruption in tourist and recreational activity which is an important source of revenue to the City and local businesses. The island parks also experienced significant shoreline erosion, damage and debris accumulation over the spring and summer of 2017. The flooding resulted in the activation of the City of Toronto Emergency Operations Centre and approximately \$8 million in direct and indirect damages related to the closing of Toronto Island Park.

In response to the 2017 flood conditions the Toronto and Region Conservation Authority (TRCA) and the City of Toronto deployed over 45,000 sandbags, 1000 meter bags, and over a dozen industrial pumps to mitigate the effects of the rising water. These assets were positioned throughout the islands, leveraging GIS maps with LiDAR imagery that identified areas and infrastructure that were threatened by the flood conditions. Mapping also identified the most strategic and effective locations to deploy the industrial pumps.

In 2018, TRCA worked with the City of Toronto to repair damaged areas and install naturalized berms and sumps to protect strategic areas from potential future flooding. The large meter bags were removed but the sand was left in place, forming berms that were planted with native grasses. Most of the sand from the smaller sandbags was deposited in a central area for future use. The installation of ten sumps was completed to collect surface flooding and drain low lying and saturated areas with a series of weeper tiles. The City also made significant alterations to the ferry docks, allowing for safe passenger embarkation/debarkation for a wider range of lake levels.

In 2018, TRCA in collaboration with the City of Toronto, successfully secured \$150,000 in grant funding from the federal National Disaster Mitigation Program (NDMP), with the City of Toronto matching \$150,000 for a total of \$300,000 for the Toronto Islands Flood Characterization and Risk Assessment Project. At TRCA Executive Committee Meeting #6/18 held on August 10, 2018 Resolution B73/18 approved the award of Contract #10008379 to W.F. Baird & Associates Coastal Engineers Ltd. for consulting services to undertake the Toronto Islands Flood Characterization and Risk Assessment Project.

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The study consists of four main components:

1. Flood Characterization Report
2. Flood Risk Assessment Report
3. Development of Flood Maps
4. Flood Mitigation Alternatives Report

### **Flood Characterization Report**

This report describes the conditions that led to the 2017 Lake Ontario high water levels; proposes updated return period water levels in Toronto; evaluates the impacts of Plan 2014 the regulation for the St. Lawrence Seaway and Lake Ontario to regulate water levels on Lake Ontario; and reviews recent climate change research related to future Lake Ontario water levels. The report concludes that the 2017 high water levels were the result of extreme wet weather in the Lake Ontario basin, record inflows from Lake Erie, and reduced outflow capacity due to downstream flooding on the St. Lawrence and Ottawa rivers. Return period water level analysis indicates that the 100-year return period stillwater level for Lake Ontario should be increased from 75.75m to 76.05m International Great Lakes Datum of 1985 (IGLD85). The impact of Plan 2014 is estimated to account for 0.07m of this increase, with the remainder of the increase attributed to the inclusion of post-regulation data to 2018. With the new peak record water levels recorded in 2019, however, the statistical analysis will need to be reviewed once more to adjust the 100-year return period water level to account for this year's significant levels. The latest climate change research was also reviewed to estimate potential future changes to static water levels, storm surge, and waves at Toronto Islands. Current research suggests that average static water levels in the Great Lakes will remain similar or decline slightly due to increased evapotranspiration. The anticipated impacts of climate change on static water levels are less than the natural variability of long-term lake levels and will likely be manageable within the current regulation plan, therefore the consultant did not recommend to further increase or decrease the 100-year static water level due to climate change. Climate change considerations for specific storm events and correlated surge and wave effects, however, can be considered through ensuring sufficient freeboard (the height above the recorded high water mark of a structure associated with the water) in the design of mitigation measures.

### **Flood Risk Assessment Report**

The study was commissioned to inform TRCA and the City of Toronto in identifying and understanding risk to property and infrastructure on the Toronto Islands. This report quantifies the financial costs and other impacts to Toronto Island residents, businesses, and the City of Toronto for the different return period flood events under existing conditions. Using a parallel process as that for riverine flooding, tangible (financial) damages for Toronto Island residents and businesses were estimated using the Alberta Provincial Flood Damages Assessment Study (PFDAS) method, which was endorsed by Natural Resources Canada's Guide to Flood Vulnerability Functions. Residential indirect damages such as flood mitigation, cleanup, etc. were included as a 15% markup on the structural and contents damages. Non-residential

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indirect damages were estimated using a method of business disruption and productivity rates outlined in the Canadian Floodplain Mapping Guidelines Series by Natural Resources Canada. All damages were adjusted to Ontario 2017 dollars using indexing methods. Estimated total tangible damages to residents and businesses range from \$0.5M to \$6.5M for the 2-year and 500-year flood event, respectively. The average annual tangible damages are estimated to be \$387,000 per year. City of Toronto damages were not included in the damage estimates due to the nature of the buildings (no appropriate Provincial Flood Damage Assessment Study category), and the fact that indirect damages such as flood mitigation, cleanup, lost ferry revenues, lost rents, etc. would not be captured in the damage estimates. Intangible damages are non-financial damages such as impacts to health, society, and the environment. The more severe intangible impacts include respiratory conditions that could develop due to mould, change in the social fabric of the island community, and loss of mature trees.

### **Flood Mapping**

A series of Toronto Islands Flood Depth Maps indicating areas of inundation with varying water levels (from 75.3m to 76.2m) were developed. These maps are based on recent LiDAR topographic maps and were utilized to prioritize the ongoing response during the 2019 high levels, building upon the maps developed by TRCA's GIS department in 2017.

### **Flood Mitigation Alternatives Report**

This new report identifies flood mitigation alternatives for the areas most affected by the 2017 flood. Flood mitigation concepts were not developed for private businesses such as the yacht clubs, but instead focused on community-scale flood protection measures. The alternatives build upon recommendations made by Toronto Island residents and include protecting low-lying residential areas with a berm or dyke structure, elevating low-lying roads, increasing the crest elevation of shore protection structures, and directing surface drainage to the sumps that were installed in 2018. This report presents the conceptual designs, estimated quantities, and budgetary cost estimates for the flood mitigation alternatives for six key areas. The estimated total cost of the project varies between \$13.9M and \$15.9M depending on the flood protection option at Ward's Island.

In summary, the Toronto Islands Flood Characterization and Risk Assessment Project provides TRCA and the City of Toronto with an improved understanding of flood scenarios and community and infrastructure vulnerabilities and risks. It also provides direction on future flood mitigation investments, where TRCA's experience in implementing shoreline and flood protection measures throughout the Toronto waterfront areas could be leveraged in the delivery of these flood protection measures.

### **RATIONALE**

The Toronto Islands Flood Characterization and Risk Assessment Project was conducted to assist the City and TRCA to respond to and plan for future flood conditions. As of June 2019, Lake Ontario water levels have exceeded the previous records of 2017 and the utility of this study has already been demonstrated during the current flood condition. The Flood

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Characterization Report provided background information that informed the short-term mitigation measures for the current scenario. TRCA and the City were able to initiate flood mitigation efforts proactively in advance of the 2019 flood. The flood mapping allowed for the effective deployment of resources in response to the rising water levels.

The City of Toronto has also initiated a Toronto Islands Park Master Plan and the Toronto Islands Flood Characterization and Risk Assessment Project will be a key resource for this project. Staff expect that there will be many opportunities integrate the flood protection capital works into overall park improvements that benefit the public realm, in keeping with the City of Toronto's Climate Resilience Framework principle of integrating risk reduction with community enhancement.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 2 – Manage our regional water resources for current and future generations**

**Strategy 4 – Create complete communities that integrate nature and the built environment**

**Strategy 8 – Gather and share the best sustainability knowledge**

### **FINANCIAL DETAILS**

In 2018, TRCA in collaboration with the City of Toronto, successfully secured \$150,000 in grant funding from the federal NDMP, with the City of Toronto matching funding for a total of \$300,000 for the Toronto Islands Flood Characterization and Risk Assessment Project. Staff entered into a Service Level Agreement with the City of Toronto for the development of the Toronto Islands Flood Characterization and Risk Assessment Project. Funds for this project are identified in account code 251-87.

The Toronto Islands Flood Characterization and Risk Assessment Project presents the conceptual designs, estimated quantities and budgetary cost estimates for implementation of works that vary between \$13.9M and \$15.9M depending on the flood protection options. Additional costs will include regulatory approvals, public consultation and detailed design. No funding sources have confirmed for this work, however once design costs are factored in and final construction costs are determined, it may be possible to group the island flood protection measures with other waterfront flood protection measures and pursue matching funding through the federal Disaster Mitigation and Adaptation Fund.

### **DETAILS OF WORK TO BE DONE**

The Toronto Islands Flood Characterization and Risk Assessment Project will be circulated to relevant TRCA and City of Toronto departments.

The Flood Mitigation Alternatives Report outlines flood mitigation alternatives. A Conservation Authority or MEA Class Environmental Assessment for Remedial Flood and Erosion Control is required to proceed with the development and eventual implementation of flood mitigation alternatives. TRCA will continue to work with the City of Toronto to identify and secure funding to undertake the Class EA and implementation of the flood mitigation alternatives.

## Item 8.1.

Report prepared by: Danielle Dellandrea, ext. 5240, Rehana Rajabali, ext. 5220

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Date: May 30, 2019



### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Sameer Dhalla, Director, Development and Engineering Services

**RE:** **FLOOD RISK MANAGEMENT UPDATE**

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#### KEY ISSUE

Summary of current and future initiatives to improve flood risk management, overview of projects funded by the National Disaster Mitigation Program (NDMP), and reporting as requested by the Board of Directors on TRCA's response to the August 7, 2018 storm.

#### RECOMMENDATION

**WHEREAS TRCA received approval to pursue funding for flood risk mitigation projects through the National Disaster Mitigation Program (NDMP) at meeting #6/16, held on July 22, 2016;**

**WHEREAS TRCA provided an overview of the Flood Risk Management Program at meeting #5/17 held on June 23 2017;**

**WHEREAS TRCA reported on flood risk in the Black Creek Rockcliffe area including next steps in pursuing flood remediation at meeting #2/18 held on March 23 2018;**

**WHEREAS TRCA provided a summary of the Flood Forecasting and Warning Program including a website demonstration at meeting #4/18 held on June 8 2018;**

**WHEREAS TRCA staff were requested report back to the Authority in 2018 and 2020 to provide a summary of the work that has been completed with funding from the NDMP.**

**THEREFORE LET IT BE RESOLVED THAT TRCA staff, in partnership with TRCA's municipal partners, continue to implement and advance flood risk management projects;**

**AND THAT TRCA staff be directed to continue to work with municipal staff and the insurance industry to share information from NDMP projects to advance and improve flood communications;**

**AND FURTHER THAT staff provide an annual summary of flood risk management work that has been completed.**

#### BACKGROUND

One of the core mandates of TRCA is to provide services to partner municipalities to reduce flood risk. Activities within this realm include flood forecasting, issuing flood warning messages, operating flood infrastructure, implementing flood mitigation projects, and the regulation of development in floodplains. TRCA has continued to invest in all aspects of flood risk management, and this work has been accelerated since 2015 by successfully securing over \$3.9 Million in matching funds through the National Disaster Mitigation Program (NDMP).

## Item 8.2.

The roles and responsibilities for ensuring public safety during flood events are shared between various levels of government, conservation authorities, and individuals. Municipalities are legislated, through the Provincial Emergency Management and Civil Protection Act, to develop emergency plans and undertake response actions, including road closures and evacuations. In order to provide support to our municipal partners to meet their obligations for emergency management, the TRCA operates a Flood Forecasting and Warning Program in accordance with the Ministry of Natural Resources and Forestry (MNRF) *Provincial Flood Forecasting and Warning Guidelines*. The program is designed to:

- Support municipal flood emergency planning,
- Monitor weather and watershed conditions daily and maintain a local data collection network,
- Issue flood messages to municipalities, applicable agencies, media and the public, to advise of potential flooding when appropriate,
- Operate TRCA dams and flood control structures to reduce the effects of flooding when appropriate,
- Maintain communications with municipalities and the MNRF Surface Water Monitoring Centre during a flood event.

In order to fulfil this role, TRCA works closely with partner municipalities, and with meteorological authorities such as the Ontario Storm Prediction Centre (OSPC) operated by Environment Canada and Climate Change (ECCC).

This mandate was tested on August 7, 2018 when an unexpected storm hit the Black Creek watershed and portions of the Don and Lake Ontario watershed in Toronto. The sudden appearance of a storm that caused flooding raised questions regarding responsibilities and communication protocols in responding to these type of events. At TRCA Executive Meeting #6/18, held on August 10, 2018, the following resolution was approved:

*THAT Toronto and Region Conservation Authority (TRCA) in response to the August 7 2018 storm event prepare a preliminary report regarding potential improvements to responses to flooding issues within the TRCA municipalities, including suggestions for improving the municipal planning process including consideration of how to better involve TRCA in the review of Committee of Adjustment and other planning applications in flood prone areas; explore installation of additional gauges in flood prone systems where gaps may exist; working with municipalities to improve the dispatch and communication protocols; engagement with municipal members, provincial and federal governments for additional resources; improved public alert systems and coordination with media, and emergency management training.*

While this report will summarize TRCA's response to the August 7, 2018 flood event, it is primarily meant to outline the work that has long been underway to improve TRCA's flood risk management program. In addition, this report will provide an update on NDMP projects that TRCA has been undertaking to strengthen the program and fulfil Resolution #A109/16 approved at Authority Meeting #6/16, held on July 22, 2016.

### **RATIONALE**

TRCA's Flood Risk Management program plays a keystone role in fulfilling our Strategic Plan objectives to reduce flood risks and protect communities. The program spans the full spectrum of emergency management: from risk assessment, support of preventative measures, preparedness planning, outreach with municipal partners, Flood Forecasting and Warning during flood events, to flood event documentation and analysis after the storm. TRCA's flood management program is one of the most advanced in Canada, incorporating state of the art technologies in real-time gauging, hydrology and hydraulic modeling and multi-mode communications. The program is staffed by a complement of Flood Duty Officers (FDOs) and Chief Flood Duty Officers (CFDOs) who are on-call 24/7. During flood events, the information provided by TRCA plays a critical role assisting municipal partners in making decisions for emergency response.

The characteristics of TRCA's watersheds, however, present unique challenges. Many of the catchments in TRCA's jurisdiction are small, steep, and highly urbanized. Intense rainfall thus quickly accumulates in rivers and streams, leaving little lead-time before flooding actually occurs. Flooding in the TRCA jurisdiction can happen at any time of year; fall storms can draw on tropical moisture from Atlantic hurricanes, mid-winter thaws present the risk of ice jams, spring warm-ups melt the seasonal snowpack, and summer brings the risk of thunderstorms. These summer storms present particular challenges because they are highly unpredictable from a meteorological perspective. The potential energy and moisture for a serious convective storm may exist on many summer days, but determining exactly where, and if, they will form, remains challenging.

In addition to utilizing weather forecasts and warnings from our partners in weather science, TRCA operates a network of telemetered rainfall and stream gauges to provide real-time situational awareness throughout our watersheds. As an additional layer of precaution, the real-time gauges are assigned thresholds, and notification alarms are enabled to alert FDOs when these thresholds are exceeded.

The August 7, 2018 event, an unexpected tropical rainstorm formed over portions of North York and moved slowly south across downtown Toronto. This very localized storm inundated the Black Creek watershed and western parts of the Don River catchment. It caused flooding in low-lying areas, specifically in the historically flood vulnerable community adjacent to Black Creek between Rockcliffe Blvd. and Weston Rd. This storm was unusual in the following ways:

- It was unexpected – heavy rainfall was not forecast by the Ontario Storm Prediction Centre and no weather warnings were issued prior to the event.
- It was highly localized and intense – only small portions of TRCA's jurisdiction were impacted, but those areas received an extremely high amount of rainfall in a very short period of time.
- It followed a track that evaded detection by TRCA's network of real-time rain gauges. Rain gauges can provide warning for unexpected severe storms, as they trigger alarms when unusually high rain is detected, well before river levels respond. Typically, this allows for longer lead-time for FDOs to issue messages and contact municipal partners.
- The first indication of a storm event that the FDO received was a stream gauge alarm indicating a high water level for Black Creek at Highway 401.

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Upon receipt of this alarm and subsequent review of radar information (since there was no significant precipitation at TRCA rain gauges), the FDO contacted OSPC to obtain information on the storm. The FDO then proceeded to release a Flood Watch message, indicating that flooding was possible in the vicinity of Black Creek and Lower Don River. Flood messages are issued to TRCA's website, to an e-mail and text distribution list which includes media as well as emergency management/first responder staff at all partner municipalities, and via Twitter (@TRCA\_Flood). The CFDO also contacted City of Toronto Transportation Central Dispatch staff to advise of possible road closures in the affected area. In the case of the August 7 storm, all protocols of TRCA's flood forecasting and warning responsibilities were met; however, the storm being so localized as to not be detected by the rain gauge network delayed the issuance of the Flood Watch message.

Although the nature of certain storms and our watershed characteristics make it difficult to increase the lead-time in identifying a flood threat, TRCA has been working to develop a decision support system for FDOs that incorporates the next generation of flood forecasting models. In addition to this, TRCA has been continuously pursuing initiatives to facilitate a faster dissemination of flood warnings, and quicken corresponding action by affected municipalities. To fulfill the request in resolution #B70/18, the following sections of this report will summarize specifically how TRCA is expanding its flood gauging network, enhancing flood outreach and communication, informing emergency management, and improving flood alert systems, and provide suggestions for improving the municipal planning process.

### **National Disaster Mitigation Program**

In 2016, TRCA's Board of Directors approved a 5-year plan to enhance TRCA's flood risk management program with funding from the National Disaster Mitigation Program (NDMP). Projects included updating TRCA's flood risk assessment, developing new state of the art flood modeling and mapping, installing additional flood monitoring gauges, undertaking flood infrastructure optimization studies, and improving flood communication and outreach programs. As an early adopter of this program, TRCA is completing numerous projects and has provided guidance and leadership to other conservation authorities pursuing similar studies. Through this program over \$3.9 Million has been secured for projects specifically dedicated to reducing flood risk. Attachment 1 includes a full list of the NDMP projects, and an update on their current status. In many cases, outputs and processes developed specifically for one project have found myriad uses in other flood risk reduction activities, such as the inundation mapping used for the Lake Ontario High Water Level events this year and in 2017, as well as the Bolton Ice Jam in March 2019.

### **Flood Risk Assessment and Ranking**

While the application of appropriate planning and development regulations remains a primary tool to prevent flood risk, there are many areas that were developed prior to hazard management policies. These communities, where there is a high concentration of structures within the regulatory floodplain, are TRCA's Flood Vulnerable Clusters, and represent areas of historic flood risk to people and property. Currently, 41 such Clusters have been identified across TRCA's jurisdiction as priority areas. Leveraging funding from the NDMP, TRCA recently completed the Flood Risk Assessment and Ranking project. The purpose of this project was to combine current riverine flood hazard information with an updated database of exposure information, and utilize the latest flood vulnerability functions in order to quantify flood risk at a granular level. The overlaying of this information, together with expert research and stakeholder input, was used to develop data-driven risk rankings of the 41 Flood Vulnerable Clusters. The data generated through this project includes detailed information of exactly what is at risk with rising flood levels. With the resulting information, staff continue to work in partnership with

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municipalities to develop flood mitigation strategies for the priority areas, including enhanced warning and emergency management tools, flood remediation capital works, and the appropriate application of planning and development policies.

### **Installation of Additional Gauges**

TRCA has constructed an extensive network of real-time stream and rain gauges to provide the most up to date and accurate data to the Flood Forecasting and Warning Program. The network of real-time water level and stream gauges provides critical information to FDOs. Stream gauges provide water level readings, and corresponding alarm notifications, every 15 minutes. Rain gauges provide readings every 5 minutes. These gauges have been strategically placed throughout TRCA's jurisdiction in locations with known flood risk.

In 2006, the network consisted of four stream gauges. The network has expanded significantly since then, and now comprises 15 real-time stream gauges and 20 real-time precipitation gauges. In 2018, TRCA obtained NDMP funding to expand the real-time stream gauging network to 17 and the real-time precipitation gauges to 22. Increasing the density of the real-time network reduces "blind spots" and the probability of undetected storms. Future network expansion is being considered as TRCA is currently investigating a flood forecasting tool that will incorporate real-time data with weather radar data to provide site-specific flood forecasts. In order to meet the gauge density requirements to make this tool as accurate as possible, TRCA will have to expand the network substantially, and it is the maintenance of such a network that presents logistical challenges. To reduce the number of new gauges that would need to be installed, TRCA is investigating the possibility of incorporating existing networks owned by other municipalities and agencies. City of Toronto, Region of Peel, ECCC and others operate networks that could be incorporated into TRCA's network, thus reducing costs. Staff are currently exploring solutions to overcome technical challenges associated with using external networks.

TRCA will continue to identify feasible expansions to the real-time network to increase warning times for flood messages, and has most recently upgraded the existing gauge at Westmount Park into a real-time gauge to provide precipitation information in the Rockcliffe neighborhood.

### **Communications with Municipal Partners and Emergency Management Training**

TRCA is continually communicating with municipal partners and improving processes through engagement and training. Flood Risk Management staff attend working group meetings, preparedness workshops, outreach events, and collaborate on annual exercises with the various emergency management departments of our local partners. Some recent examples include:

#### **Toronto:**

- TRCA is part of the City of Toronto Emergency Management Working Group (EMWG), which includes representatives from Toronto Police, Toronto Fire, Toronto Transit Commission, Toronto Hydro and all major City of Toronto divisions. Risk specific plans for flooding are co-ordinated through EMWG and TRCA participates in emergency management exercises to test emergency plans and response protocols. Additionally, the CEO of TRCA sits on the Toronto Emergency Management Program Committee.

#### **Durham:**

- TRCA provided leadership and input in the Durham Flood Response Plan, and

## Item 8.2.

annually attends the Durham Emergency Management Office P3 Symposium

### **Peel:**

- TRCA and CVC have jointly presented at CEMC meetings in Peel Region
- TRCA collaborated on the 2018 table-top exercise with Brampton Emergency Management, and routinely attends their annual workshop
- TRCA has provided input into Mississauga's severe weather response procedures

### **York:**

- TRCA has been a content partner for the York Emergency Management fair and Markham's Master of Disaster summer camp
- TRCA staff have attended training with Vaughan Emergency Management, who is also circulated on relevant development applications in flood vulnerable areas

TRCA, in conjunction with other GTA Conservation Authorities and the Ministry of Natural Resources and Forestry (MNRF), hosts both the Floods Happen Workshop and the Provincial Flood Forecasting and Warning Committee workshop annually. Municipal partners, emergency management staff, first responders and water resource agencies are invited to discuss the latest issues in flood risk management.

In 2018, TRCA also finalized the G. Ross Lord Dam Emergency Preparedness Plan that involved participation and coordination with numerous responding partners, such as Toronto's Office of Emergency Management, Police and Fire Services. A public information session was also held in early 2018 for communities downstream of the dam to increase the awareness of the risk of the dam, information about the emergency plan and describe the actions to undertake in the event of an emergency directly related to dam failure or operations of the dam.

TRCA has also implemented the Incident Management System (IMS), an industry standard organizational tool for coordinating a response for emergencies and is used by all response agencies. IMS allows for seamless coordination between different stakeholders in order to coordinate emergency response efficiently.

TRCA will continue to engage with stakeholders to ensure that all parties understand their role during flood emergencies. The streamlining of communications through the embedding of TRCA warnings and real-time flood monitoring information within municipal websites will be specifically pursued. In conjunction with municipal partners, TRCA is also working to create public outreach strategies to inform flood vulnerable communities about their risk and individual preparedness responsibilities. Most notably, NDMP funding approval has been received for the development of site-specific flood emergency plans. These plans, to be developed in conjunction with municipal partners will utilize the updated flood risk mapping to allow better communication and resource deployment for road closures and evacuations during flood emergencies. TRCA has already convened a working group for the Rockcliffe site-specific response plan, which will form a template for the remainder of plans in our jurisdiction. This work will be completed by March 2020.

### **Alert Systems and Media Coordination**

Coordination with media is managed by Flood Risk staff with assistance from TRCA's Marketing team. TRCA sends all flood messages to media contacts in the FFW distribution list. Media requests regarding storms and flooding are answered by Flood Risk Management staff with the assistance, coordination and oversight of TRCA's marketing personnel. Occasionally the opportunity is presented for TRCA to provide a more in-depth and educational perspective on flood risk. For example, in April 2018, CTV News did a live broadcast at G. Ross Lord Dam to

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provide information about the structure and various hydrometric tools used by TRCA.

It is important to underscore the utility of social media, particularly Twitter, in disseminating information to the public. Members of the public, and even traditional media, are known to seek information from Twitter on emerging situations. The expanded use of the @TRCA\_Flood account as a source of flood risk and response information is critical.

In 2018, federal and provincial emergency management officials introduced Alert Ready messages for mobile devices. In the past, these messages could only be sent through television and radio. The new mobile device Alert Ready system will now automatically push critical public safety information to all cell phones within the area of risk. TRCA has an agreement with the Provincial Emergency Operations Centre to push Alert Ready messages to residents during activation of the G. Ross Lord Dam Emergency Preparedness Plan.

### **Planning and Development Considerations**

TRCA follows a process for receiving planning applications for all properties mapped within TRCA's regulated areas. These regulated areas include lands that are prone to riverine flooding, but do not specifically include properties that may be subject to flooding from municipal storm sewer infrastructure, as this is the responsibility of the municipality. This process is established either through Memorandums of Understanding (MOU) with our municipal partners, or through long-established protocols with municipal staff. The applications TRCA staff review include everything from large subdivisions down to minor variance and land division applications. TRCA also works with municipal building departments to ensure that they notify applicants under applicable law provisions when a TRCA permit is required prior to the release of a building permit. Applications within TRCA's mapped regulated area are circulated to TRCA and our staff communicate issues related to natural hazards back to the municipality and the landowner.

There are a number of processes that our municipal partners could improve upon to ensure natural hazard issues are addressed, with the first being clear early engagement with the landowner. For Committee of Adjustment applications in particular, the first time TRCA typically sees any problematic applications is after the hearing is scheduled on the committee agenda. This leaves very little time for staff to review and engage the landowner and advise the committee prior to a decision being made. In some cases, municipal planning staff may be unaware that approval of certain applications will be inconsistent with the natural hazard policies of the Provincial Policy Statement, Official Plan or TRCA's Living City Policies. Additional awareness of input on applications in flood vulnerable or hazard areas from municipal planning staff would be of assistance in identifying issues earlier in the planning process. Secondly, Councillors and Committee members change over time, and incorporating watershed management and awareness of Provincial policy considerations in flood vulnerable areas in their jurisdiction into their orientation could help avoid inappropriate decisions being made on hazard-prone lands. Finally, staff encourage both the upper and lower tier municipalities to include clear policies and processes for natural hazard and natural heritage management in up to date Official Plans, Zoning By-laws, Procedural manuals and Memorandums of Understanding with TRCA.

### CONCLUSION

TRCA manages a multi-disciplinary approach to the reduction of flood risk. Watershed monitoring with real-time gauges, flood plain regulation, stakeholder engagement, public education and communication all have a role in the reduction of flood risk. TRCA's urbanized watersheds and the increasing threat from extreme events require advanced technology and robust response protocols to manage flood events efficiently. TRCA is consistently improving the flood management program, leveraging best-available technologies and processes to mitigate risk for priority areas. These improvements include updating flood mapping/modeling, expanding the real time flood gauging system and improving communications with municipal partners in emergency management and land use planning.

### Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 2 – Manage our regional water resources for current and future generations**

### FINANCIAL DETAILS

Funds for general FFW operations are available in operating account 115-60 (Flood Warning Program) and 115-62 (Flood Risk Management and Communications). Gauging is funded through capital account 107-01 (Flood Forecasting and Warning System). NDMP projects are funded through various capital accounts. A list of NDMP projects is available in Attachment 1. These accounts are funded by City of Toronto, York, Peel and Durham Region. Funds for Planning and Development operations are available in operating account 110-01 and 110-05. These accounts are funded through planning and development application fees.

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**Date: April 8, 2019**

**Attachments: 1**

Attachment 1: National Disaster Mitigation Program (NDMP) Project Summary



# Attachment 1 - National Disaster Mitigation Program (NDMP) Project Summary

	Project Name	Start Date	Deadline	Account Code	TRCA/Partner Funding	Federal Program Funding	Project Outcomes / Outline
	NDMP INTAKE #1						
1	A4 Flood Vulnerable Database	Oct-16	Complete - Sep-18	10709	\$195,000.00	\$195,000.00	<i>This project generated an updated geospatial database of exposure information, which was layered with riverine flood hazard information and the latest flood vulnerability functions in order to quantify flood risk at a granular level. This allowed for a data-driven risk ranking of TRCA's 41 Flood Vulnerable Clusters. The quantified damage estimates have already been used to inform Return on Investment calculations for flood remediation projects. Furthermore, the geospatial mapping products that were developed as part of this project are already being used in site-specific flood emergency response scenarios. This project also enabled the purchase of LiDAR data that has been leveraged for all subsequent floodplain modelling and mapping activities.</i>
2	2 Dimensional Modeling of High Risk - Flood Vulnerable Areas	Oct-16	Complete - Mar-18	10708	\$110,000.00	\$110,000.00	<i>This project developed advanced 2-dimensional flood modelling within two high risk complex flow areas: Rockcliffe Special Policy Area in Toronto and Pickering/Ajax special Policy Area in Durham Region. This information has been used to update regulations, to validate flood remediation plans, and to enhance emergency preparedness.</i>
	NDMP INTAKE #3						
3	A31 2 Dimensional Modeling Studies of High Risk Flood Areas	Oct-17	Complete - Mar-19	10758	\$60,000.00	\$60,000.00	<i>This project provided accurate and reliable modelling updates incorporating recent LiDAR topographic data. The revised floodline information was provided to TRCA's municipal partners for the purpose of land use and emergency management planning.</i>

# Attachment 1 - National Disaster Mitigation Program (NDMP) Project Summary

	Project Name	Start Date	Deadline	Account Code	TRCA/Partner Funding	Federal Program Funding	Project Outcomes / Outline
4	A30 2017 Stouffville and Claireville Dam Feasibility Studies	Oct-17	Underway Aug-19	10710	\$140,000.00	\$140,000.00	<i>This project assesses the viability of implementing the recommendations from the recently completed Dam Safety Reviews for the Claireville and Stouffville Dams located in the City of Brampton, and Town of Whichurch-Stouffville respectively.</i>
5	A27 2017 Floodplain Mapping Updates	Oct-17	Underway-Aug-19	10756	\$156,750.00	\$156,750.00	<i>This project includes updating approximately 65 floodplain maps for the Humber River Watershed within the City of Toronto and City of Vaughan, as well as the update of approximately 16 floodplain map sheets within the Carruthers Creek Watershed within the Town of Ajax.</i>
6	A28 2017 Mimico Creek Hydrology Update	Oct-17	Underway Aug-19	10755	\$30,000.00	\$30,000.00	<i>This project entails a comprehensive hydrology update for the Mimico Creek watershed. The Mimico Creek is an urban watershed located within the Cities of Mississauga and Brampton in the Regional Municipality of Peel and the City of Toronto.</i>
7	A29 2017 Real-Time Gauge Improvement Program	Oct-17	Underway Aug-19	10757	\$60,000.00	\$60,000.00	<i>This project expanded the coverage of TRCA's network of rain and stream gauges through the provision of four additional gauges, as well as redundancy equipment to increase the resilience of the current system. The real-time gauging network provides enhanced situational awareness during flood event which benefits emergency response.</i>
	NDMP INTAKE #4						
8	A47 - Flood Risk Community Outreach Program	Jul-18	Underway - Mar-20	10754	\$130,000.00	\$130,000.00	<i>This project will build on the results from TRCA's intake 1 flood risk assessment project by supporting public awareness of potential flood emergencies. This project will enable targeted information sessions for flood vulnerable neighbourhoods, involving municipal partners.</i>

# Attachment 1 - National Disaster Mitigation Program (NDMP) Project Summary

	Project Name	Start Date	Deadline	Account Code	TRCA/Partner Funding	Federal Program Funding	Project Outcomes / Outline
9	A45 - Don River Watershed Floodplain Mapping Update	Oct-18	Underway - Mar-20	10737	\$130,500.00	\$130,500.00	<i>This project will allow comprehensive floodplain mapping update of approximately 80 floodplain map sheets within the municipalities of the City of Vaughan, Town of Richmond Hill, City of Markham and City of Toronto.</i>
10	A48 - G. Ross Lord Dam Safety Risk Assessment & Flood Operations	Oct-18	Underway - Mar-20	10757	\$125,000.00	\$125,000.00	<i>The risk assessment would enable TRCA to quantify the impacts of modifying the dam operations relative to overall risk. This project would provide stakeholders with a better understanding of the dams risk levels</i>
11	A49 - Highland Creek Hydrology & Floodplain Mapping	Jul-18	Underway - Mar-20	10753	\$124,000.00	\$124,000.00	<i>This project will complete a comprehensive hydrology model and floodplain mapping update for the Highland Creek watershed within the City of Toronto. The project will result in a new hydrology model for the Highland Creek, as well as the update of approximately 30 floodplain map sheets.</i>
12	Mimico Creek Floodplain Mapping Update	Oct-18	Underway - Mar-20	10739	\$31,000.00	\$31,000.00	<i>This project will complete a comprehensive floodplain mapping update of approximately 20 floodplain map sheets within the municipalities of the Cities of Brampton, Mississauga, and Toronto.</i>
13	A51 - Rouge River Watershed Floodplain Mapping	Oct-18	Underway - Mar-20	10738	\$167,000.00	\$167,000.00	<i>This project will complete a comprehensive floodplain mapping update of approximately 103 floodplain map sheets within the municipalities of the City of Toronto, Town of Richmond Hill, City of Markham, City of Pickering and the Town of Whitchurch-Stouffville.</i>

**Attachment 1 - National Disaster Mitigation Program (NDMP) Project Summary**

	Project Name	Start Date	Deadline	Account Code	TRCA/Partner Funding	Federal Program Funding	Project Outcomes / Outline
14	Brampton Riverwalk (Partnership with City of Brampton)	Oct-18	Underway - Mar-20	*Funded by City of Brampton	\$1,500,000.00	\$1,500,000.00	<i>In partnership with the City of Brampton, the purpose of this endeavour is to identify a preferred alternative that is sustainable and will eliminate the risk due to flooding from Etobicoke Creek to the Downtown Core of Brampton, up to the Regulatory Event Regional Storm (Hurricane Hazel), while taking into consideration the natural, social, cultural and built environment, and incorporates Brampton's Urban Design and Land Use Study Objectives.</i>
15	Toronto Island Flood Characterization and Risk Assessment (Partnership with City of Toronto Parks)	Oct-18	Complete – Jun-19	*Funded by City of Toronto	\$150,000.00	\$150,000.00	<i>The focus of TRCA's previous risk assessment applications was on riverine flooding, and did not include the Toronto Islands. This flood characterization and risk assessment project will help facilitate an understanding of lake-based flood hazards, community and infrastructure vulnerabilities, potential impacts and risk to residents and municipal assets, which in turn can inform future structural and non-structural flood mitigation investments. This project has already proactively informed the mitigation and response work underway to protect the Islands from the historically high levels this year.</i>
	NDMP INTAKE #5						
16	Duffins Creek Watershed Floodplain Mapping Update	Apr-19	Underway – Mar-20	10770	\$110,000.00	\$110,000.00	<i>This project will update approximately 73 floodplain maps for the Duffins Creek watershed within the City of Pickering and Towns of Ajax and Uxbridge in Durham Region, and the City of Markham, and Town of Whitchurch-Stouffville in the Region of York, using new topographic information based on LiDAR, as well as the results from the 2012 Duffins Creek Hydrology Update.</i>

# Attachment 1 - National Disaster Mitigation Program (NDMP) Project Summary

	Project Name	Start Date	Deadline	Account Code	TRCA/Partner Funding	Federal Program Funding	Project Outcomes / Outline
17	Next Generation Flood Forecasting and Warning System Development	Apr-19	Underway – Mar-20	10774	\$75,000.00	\$75,000.00	<i>This project will advance the development of a next-generation flood forecasting and warning system, which will have the capability to provide site specific flow forecasting at critical areas as well as enhanced, real time flood information to emergency responders.</i>
18	Petticoat Creek Watershed Hydrology Update	Apr-19	Underway – Mar-20	10771	\$40,000.00	\$40,000.00	<i>The proposed project will consist of a comprehensive hydrology update of the Petticoat Creek watershed within the City of Pickering in Durham Region. The previous hydrology update was completed in 2005 and was developed using the best available information of the time.</i>
19	Pickering Ajax Dyke Rehabilitation Environment Assessment	Apr-19	Underway – Mar-20	10769	\$250,000.00	\$250,000.00	<i>In April 2018 TRCA completed a study of the flood control infrastructure located within the Pickering and Ajax SPA's within the City of Pickering and Town of Ajax in Durham Region. The study included a number of technical assessments intended to characterise the conditions of the flood control dykes. This project would allow TRCA to undertake an Environmental Assessment to identify a preferred restoration plan, balancing flood mitigation requirements with environmental impacts, social needs, and cost.</i>
20	Flood Emergency Management Plan for the TRCA	Apr-19	Underway – Mar-20	10773	\$125,000.00	\$125,000.00	<i>The proposed project will involve preparing comprehensive flood emergency response plans for the flood vulnerable areas located within the Toronto and Region Conservation Authority jurisdiction. This study builds upon the Intake 1 project which detailed the risks and damages to people and property within each of TRCA's Flood Vulnerable Clusters. Furthermore, this project will include updates</i>

**Attachment 1 - National Disaster Mitigation Program (NDMP) Project Summary**

	Project Name	Start Date	Deadline	Account Code	TRCA/Partner Funding	Federal Program Funding	Project Outcomes / Outline
							<i>and enhancements to the flood risk management website, and monitoring sites.</i>
21	Black Creek at Rockcliffe Special Policy Area Flood Remediation and Transportation Feasibility Study	Apr-19	Underway – Mar-20	10772	\$200,000.00	\$200,000.00	<i>The Rockcliffe area is one of TRCA's previously identified Flood Vulnerable Clusters and also a Special Policy Area. Many of these properties have experienced surface and basement flooding during severe storms due to riverine flooding and/or overloading of the local sewer systems. TRCA and the City of Toronto have been coordinating efforts to reduce flooding risks in the Rockcliffe area, completing two separate EA studies that examined options to reduce riverine and sewer system related flooding, respectively, in 2014. TRCA intends to hire a multidisciplinary consulting engineering team with experience in completing hydraulic modeling, urban drainage, geotechnical, structural, and fluvial geomorphological studies specific to the development of flood protection solutions within an urban environment.</i>

### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Moranne McDonnell, Director, Restoration and Infrastructure

**RE:** **TORONTO PORT AUTHORITY MEMORANDUM OF UNDERSTANDING AND MASTER SERVICE AGREEMENT**

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#### **KEY ISSUE**

Toronto and Region Conservation Authority (TRCA) request for Board of Directors approval to enter into a Memorandum of Understanding (MOU) setting the guiding principles of a long-term relationship between TRCA and Toronto Port Authority (TPA), and a subsequent Master Service Agreement with TPA for a variety of environmental initiatives that provide mutual benefits to the two organizations along the Toronto Waterfront within TPA's jurisdiction.

#### **RECOMMENDATION**

**WHEREAS both Toronto and Region Conservation Authority (TRCA) and Toronto Port Authority (TPA) play integral roles in the development and protection of Toronto's waterfront;**

**AND WHEREAS TRCA and TPA desire to support the activities of the other by collaborating on projects that are beneficial to the City of Toronto, TRCA's municipal partners, the Province of Ontario, and Canada;**

**THEREFORE LET IT BE RESOLVED THAT TRCA staff be directed to enter into a non-binding Memorandum of Understanding (MOU) with TPA setting the guiding principles of a long-term partnership to advance a variety of mutually beneficial infrastructure, planning and environmental initiatives;**

**THAT staff be directed to enter into a subsequent Master Service Agreement and Letter Agreements with TPA for TRCA to undertake a variety of activities on behalf of TPA that may include but not be limited to activities such as:**

- (a) environmental monitoring;**
- (b) project planning;**
- (c) landscape design and construction;**
- (d) stakeholder consultation; and**
- (e) obtaining environmental permits and approvals.**

**AND FURTHER THAT authorized TRCA officials be directed to take whatever action may be required to implement the agreements, including the obtaining of necessary approvals and execution of any documents.**

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### BACKGROUND

Since 1986, TRCA has been working with the TPA (formerly Toronto Harbour Commissioners, and now operating under the name PortsToronto) to cost-share the dredging of the Keating Channel on an annual basis to prevent the long-term accumulation of sediment that adversely impacts hydraulic capacity and has the potential to increase flooding and accumulation of ice within the Channel and the Lower Don River.

Since 1989, TRCA has completed an environmental assessment and planning process to develop and implement the Tommy Thompson Park (TTP) Master Plan, which has and continues to transform the Leslie Street Spit, a lakefill site created from surplus construction fill from various development sites in Toronto commencing in the late 1950s, into a unique urban wilderness feature on Toronto's waterfront with funding support from the City of Toronto, and through grants and fundraising efforts.

Today, TRCA and TPA are engaged in discussions regarding a variety of initiatives including:

- flood protection work including Billy Bishop Airport;
- maintenance of, and upgrades to, the existing facilities at the Outer Harbour Marina;
- the transformation of the Outer Harbour Marina into a more accessible and ecologically productive landscape;
- final armouring of the Leslie Street Spit to satisfy Ministry of Natural Resources and Forestry (MNRF) requirements;
- expanded dredging of the Keating Channel for the Don Mouth Naturalization and Port Lands Flood Protection Project; and
- the collection of environmental monitoring data required to support decisions related to the potential future development of TPA lands.

### RATIONALE

With both organizations playing an integral role in the development and protection of Toronto's waterfront, and the desire to support the activities of the other from a position of collaboration, the establishment of agreements is a key component of legitimizing a long-standing relationship into a formal business partnership.

The development and execution of an MOU allows the two organizations to agree on the guiding principles of a long-term partnership that seeks to expedite initiatives that are deemed beneficial to both parties. An MOU is typically intended to be non-binding, but it signals the intention of two parties to enter into future agreements from a position of mutual respect and shared objectives. Entering into an MOU will allow TRCA to enter into Non-Disclosure Agreements with TPA to obtain feedback on plans that help to shape the design process in a manner that ultimately expedites the approval process through increased assurance that all environmental concerns and objectives have been considered prior to finalizing the design plans.

Where specialized services are requested to be provided by TRCA to advance specific initiatives of TPA, a Master Service Agreement and subsequent Letter Agreements govern the terms and conditions related to how future services will be provided. It is recommended that the Master Service Agreement with TPA be similar to the type of agreement that TRCA has with the City of Toronto Parks and Forestry Division but tailored specifically to the needs of TPA and their jurisdiction. With respect to the provision of specific services, a Letter Agreement



## Item 8.3.

appended as a Schedule to the Master Service Agreement speaks to the scope of work, budget, schedule and other project-specific details.

On the reciprocal side, it is TRCA's intention to utilize TPA for dredging assignments and marine based transportation and construction. For example, this could include working with TPA on TRCA and municipal partner initiatives and work related to flood protection and erosion hazard mitigation projects across the Lake Ontario Waterfront within our jurisdiction.

It is the desire of TRCA and TPA to develop and execute the MOU in summer 2019 following approval by each party's respective Board of Directors, with the Master Service Agreement to follow as soon as possible thereafter. Once the Master Service Agreement is executed, Letter Agreements will be developed and executed from a pre-approved template on an as-needed basis.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 2 – Manage our regional water resources for current and future generations**

**Strategy 7 – Build partnerships and new business models**

### **FINANCIAL DETAILS**

TRCA and TPA will each fund their respective costs associated with the development and execution of these agreements, with TRCA's portion covered by projects funded by municipal partners or senior levels of government.

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**Date: June 7, 2019**

### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Moranne McDonnell, Director, Restoration and Infrastructure

**RE:** **TORONTO ZOO MEMORANDUM OF UNDERSTANDING AND MASTER SERVICE AGREEMENT**

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#### KEY ISSUE

Toronto and Region Conservation Authority (TRCA) request for Board of Directors approval to enter into a Memorandum of Understanding (MOU) setting the guiding principles of a long-term relationship between TRCA and the Toronto Zoo, and a subsequent Master Service Agreement with the Toronto Zoo for a variety of environmental initiatives that provide mutual benefits to the two organizations in the Rouge River Watershed on the Toronto Zoo operated lands.

#### RECOMMENDATION

**WHEREAS** Toronto and Region Conservation Authority (TRCA) is dedicated to the conservation and management of natural resources;

**AND WHEREAS** the Toronto Zoo operates a zoological gardens and related facilities in the City of Toronto on lands partially owned by TRCA;

**AND WHEREAS** TRCA and the Toronto Zoo have a longstanding collaborative working relationship involving a variety of management initiatives and ecological restoration projects;

**AND WHEREAS** TRCA and the Toronto Zoo desire to support the activities of the other from a position of collaborating on projects that are beneficial to the Rouge River Watershed and the City of Toronto;

**THEREFORE LET IT BE RESOLVED THAT** TRCA staff be directed to enter into a non-binding Memorandum of Understanding (MOU) with the Toronto Zoo to agree upon the general principles which will guide cooperation and collaboration between the two organizations on a variety of natural resources management and related environmental initiatives;

**THAT** staff be directed to enter into a subsequent Master Service Agreement and Letter Agreements with the Toronto Zoo for TRCA to undertake a variety of activities on behalf of the Toronto Zoo that may include but not be limited to activities such as:

- (a) erosion hazard mitigation;
- (b) sourcing disposal sites requiring clean organics from animal digestate;
- (c) forest management and arboricultural services;
- (d) review of TRCA Permit Applications under O.Reg. 166/06, including water resources engineering, geotechnical engineering and ecology;

## Item 8.4.

- (e) coordination with City of Toronto Urban Forestry – Ravine and Natural Feature Protection By-law staff;
- (f) restoration opportunities planning and habitat restoration implementation;
- (g) invasive species management planning and ongoing management services;
- (h) wildlife management services;
- (i) carbon accounting and other energy management services;
- (j) trails and facilities planning design and implementation;
- (k) education and outreach related services;

**AND FURTHER THAT authorized TRCA officials be directed to take whatever action may be required to implement the agreements, including the obtaining of necessary approvals and execution of any documents.**

### **BACKGROUND**

TRCA and the Toronto Zoo have a longstanding relationship, which goes back to at least 1978 as part of the implementation of a tripartite agreement with the City of Toronto granting the Toronto Zoo permission to operate on 237 hectares of TRCA lands with 83% of the total 287 hectares currently being occupied.

Through ongoing conversations regarding various land management initiatives on the zoo-operated lands over the past forty years, TRCA and the Toronto Zoo have collaborated on several environmental initiatives including education and outreach, sustainability best management practices, invasive species control, habitat restoration and development, and erosion mitigation.

### **RATIONALE**

With both organizations playing an integral role in the development and protection of the Rouge River Watershed, and the desire to support the activities of the other from a position of collaboration, the establishment of agreements is a key component of legitimizing a long-standing relationship into a more formal business arrangement.

The development and execution of an MOU allows the two organizations to agree on the guiding principles of a long-term partnership that seeks to expedite initiatives that are deemed beneficial to both parties. An MOU is typically intended to be non-binding, but it signals the intention of two parties to enter into future agreements from a position of mutual respect and shared objectives.

Where specialized services are requested to be provided by TRCA to advance specific initiatives of the Toronto Zoo, a Master Service Agreement and subsequent Letter Agreements govern the terms and conditions related to how future services will be provided. It is recommended that the Master Service Agreement with the Toronto Zoo be similar to the type of agreement that TRCA has with the City of Toronto Parks and Forestry Division but tailored specifically to the needs of the Toronto Zoo on their managed lands. With respect to the provision of specific services, a Letter Agreement appended as a Schedule to the Master Service Agreement speaks to the scope of work, budget, schedule and other project-specific details.

## Item 8.4.

It is the desire of TRCA and the Toronto Zoo to develop and execute the MOU in summer 2019 following approval by each party's respective Board of Directors, with the Master Service Agreement to follow as soon as possible thereafter. Once the Master Service Agreement is executed, Letter Agreements may be developed and executed from a pre-approved template on an as-needed basis.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 2 – Manage our regional water resources for current and future generations**

**Strategy 3 – Rethink greenspace to maximize its value**

**Strategy 5 – Foster sustainable citizenship**

**Strategy 7 – Build partnerships and new business models**

### **FINANCIAL DETAILS**

TRCA and the Toronto Zoo will each fund their respective costs associated with the development and execution of these agreements, with TRCA's portion covered by projects funded by its stakeholders.

**Report prepared by: Moranne McDonnell, extension 5500**

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**For Information contact: Moranne McDonnell, extension 5500**

**Emails: moranne.mcdonnell@trca.on.ca**

**Date: June 12, 2019**

**Attachments: 1**

Attachment 1: Draft Memorandum of Understanding with Toronto Zoo

MEMORANDUM OF UNDERSTANDING (“MOU”)

FOR PARTNERSHIP AND COLLABORATION

B E T W E E N:

TORONTO AND REGION CONSERVATION AUTHORITY  
 (“TRCA”)

and

BOARD OF MANAGEMENT OF THE TORONTO ZOO  
 (“TORONTO ZOO”)

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## **BACKGROUND**

- A.** TRCA is a body corporate under the Conservation Authorities Act 1990, dedicated to the conservation and management of natural resources including, community action on environmental matters.
  - B.** Toronto Zoo operates a zoological garden and related facilities in the City of Toronto. A portion of the lands on which the zoological garden and related facilities are situate are owned by TRCA.
  - C.** TRCA and the Toronto Zoo have had a longstanding collaborative working relationship involving land management initiatives and ecological restoration projects.
  - D.** TRCA has extensive knowledge and experience delivering projects in the areas of mitigating flooding and erosion hazards, protecting, restoring and enhancing terrestrial and aquatic habitat, and invasive species management and wildlife and ecosystem management.
  - E.** TRCA and the Toronto Zoo recognize that there are opportunities for cooperation and collaboration and agree to establish a framework for an ongoing collaborative relationship.
  - F.** TRCA and the Toronto Zoo are entering into this non-binding MOU to agree upon the general principles which will guide cooperation and collaboration between the two organizations.
- 

### **1. Commencement and Term**

- 1.1. Each of TRCA and the Toronto Zoo is a “Party” under this MOU and together are the “Parties.”
- 1.2. This MOU shall commence upon the date it is signed by both Parties and it will expire on ##, unless the term is extended.
- 1.3. Prior to its expiry, this MOU shall be reviewed by the Parties to determine whether a new MOU should be executed by the Parties.

### **2. Areas of Cooperation and Collaboration**

- 2.1. The Parties agree to the following underlying general principles as the basis for their relationship:
  - 2.1.1. It is important for the two organizations to have open lines of communication at all levels and, as such, they will strive to facilitate open and timely communication with each other.

- 2.1.2. To the extent that one Party bring forward a project or projects to the other Party seeking support and/or approval, such other Party will commit to exploring the projects(s).

2.2. Areas of collaboration and cooperation between the Parties may include:

- Strategic Planning
- Community Engagement and Outreach
- Education Opportunities
- Sharing Best Practices

2.3. TRCA may be engaged by the Toronto Zoo to undertake work on behalf of the Toronto Zoo on a cost recovery basis, as detailed in Schedule A.

1. Erosion Hazard Mitigation
2. Biogas facility
3. Forest Management and Aboricultural Services
4. Review of TRCA Permit Applications under O. Reg. 166/06
5. Coordination with City of Toronto Urban Forestry - Ravine and Natural Feature Protection By-law staff
6. Terrestrial and aquatic restoration
7. Invasive Species Management Plans and Implementation
8. Restoration Opportunities Planning & Prioritization
9. Wildlife and Ecosystem Management Services
10. Carbon accounting and Energy Management
11. Trails and Facilities, Design, Permitting, Construction

### **3. Implementation and Project Delivery**

- 3.1. Responsibility for implementing this MOU is shared equally by the Parties.
- 3.2. The Parties shall meet regularly to identify and explore opportunities for the implementation of the commitments in this MOU.
- 3.3. Where TRCA undertakes cost recovery work on behalf of the Toronto Zoo, the form of Letter Agreement included as Schedule "B" shall be used as the agreement for that work.

### **4. General**

- 4.1. The Parties acknowledge that as this MOU does not create any binding obligation. The parties intend to enter into separate Letter Agreements to cover specific commitments and responsibilities for delivery of specific projects.
- 4.2. Amendments to this MOU can only be made by the written agreement of the Parties.

- 4.3. The Parties are independent parties and nothing in this MOU shall create the relationship of principal and agent, employer and employee, partnership or joint venture between the Parties.
- 4.4. This MOU will not restrict either Party from entering into supplemental or other agreements with each other, or other participating organizations, sponsors, media or other third parties. Nothing in this MOU shall preclude the Parties from conducting their business affairs in the usual manner.
- 4.5. This Agreement may be executed in counterparts. Either Party may send a copy of its executed counterpart to the other party by email instead of delivering a signed original of that counterpart. Each executed counterpart (including each copy sent by email) will be deemed to be an original; all executed counterparts taken together will constitute one agreement.

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This MOU is entered into by the following representatives of the Parties:

**Toronto and Region Conservation Authority**

Date:

\_\_\_\_\_  
John MacKenzie  
Chief Executive Officer

**Board of Management of the Toronto Zoo**

Date:

\_\_\_\_\_  
Dolf Dejong  
Chief Executive Officer



**Schedule “A” to MOU between  
TRCA and Toronto Zoo**

**DESCRIPTION OF AREAS FOR SERVICE AGREEMENTS**

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**1. Erosion Hazard Mitigation**

TRCA's Engineering Projects (EP) group has a longstanding Erosion Risk Management Program (ERMP) that focuses on the identification, long-term monitoring, and remediation of erosion hazards throughout TRCA's jurisdiction. TRCA's EP group is a full service team of environmental, engineering, and construction professionals that are able to see projects through the entire life cycle including: hazard identification, detailed design development, project management (obtain all permits & approvals for construction), topographic surveying, and construction. This expertise relates predominantly to the implementation of remedial erosion control works. EP staff are also able to oversee a variety of other activities related to construction in sensitive areas.

Under the ERMP, TRCA has been monitoring 1 erosion control structure within the Toronto Zoo property since 2004 and an erosion hazard monitoring site that poses a long-term threat to the Zoomobile since 2016. In 2015, TRCA conducted a detailed inventory of the watercourse and assessed the condition of Toronto Water and other erosion control infrastructure. A table and map containing additional information on the sites can be found under files ERMP.

**2. Biogas facility**

***NTD for Zoo – Do you require any support from TRCA on this?***

**3. Forest Management and Aboricultural Services**

TRCA's forestry expertise allows it to offer comprehensive and integrated forest management, reforestation, restoration, hazard management, and arboricultural services. Active management of forests greatly improves forest health, biodiversity, resilience to insects, disease and climate change, and provides direct risk management to ensure public safety.

Specifically TRCA's expertise allows us to offer arboricultural, hazard tree management, and forestry services. TRCA's complement of ISA certified arborists, hazard tree technician, and Registered Professional Forester (RPF) are able to provide a complete suite of arboricultural and forestry management activities and services, such as;

- Butternut health assessments,
- Individual tree health assessments and prescriptions,
- Tree inventories,
- Arborist reports,
- Forest management plans,
- Tree removals and mitigation
- Tree retainment and injury mitigation
- Development and certification of City of Toronto's Ravine and Natural Features Protection (RNFP) permit applications
- Development of Tree Protection and Plan Review (TPPR) to obtain permits and approvals for trees situated on public and private lands within the City of Toronto
- Complete coordination of the application and approval process of all City of Toronto tree protection, and permitting processes

**Schedule “A” to MOU between  
TRCA and Toronto Zoo**

**DESCRIPTION OF AREAS FOR SERVICE AGREEMENTS**

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TRCA also operates and supplies native trees and shrubs from its own native plant nursery. Locally collected seed is used to grow highly desirable hardy native plant materials that is well adapted to our local growing conditions.

**4. Review of TRCA Permit Applications under O. Reg. 166/06**

Review of TRCA Permit Applications under O. Reg. 166/06, including water resource engineering, geotechnical engineering and ecology.

**5. Coordination with City of Toronto Urban Forestry - Ravine and Natural Feature Protection By-law staff**

Permits are required for tree removal or injury under the by-law. If TRCA staff are completing a project for the zoo on behalf of the zoo, TRCA could coordinate the ravine permit approvals. When TRCA is reviewing a permit application submitted by the zoo, we will coordinate our approval with that of the ravine by-law, which is helpful and streamlines the process.

**6. Terrestrial and aquatic restoration**

TRCA is a global leader in ecological restoration, with more than 50 years of experience protecting, enhancing, restoring and monitoring impaired natural habitats. The Restoration Projects (RP) group of TRCA strives to protect, enhance and regenerate natural resources within the TRCA jurisdiction through various restoration projects. These projects focus on: improving natural cover; improving riparian areas; restoring wetlands; stream restoration using natural channel design principles; and enhancing essential wildlife habitat. Through a detailed understanding of ecology and the interconnected roles of hydrology, natural habitats, and flora and fauna, RP group is able to identify the environmental needs at a site and set appropriate restoration targets to enhance and restore natural areas. Our ecological restoration programs are essential to maintaining a robust and resilient natural system that can benefit human health and well-being — especially as the Greater Toronto Area continues to experience environmental pressures of urbanization and climate change.

The RP group has a long history of cooperation with the Toronto Zoo and both groups have successfully partnered in the past to implement multiple successful ecological restoration projects including: improved vernal pool habitat for amphibian breeding; The Weston Pond wetland restoration; continued studies on water quality improvements in the zoo waterway; Beare road wetland habitat improvements; The Blandings turtle head start program; and most recently a wetland restoration project targeting habitat for the threatened Western Chorus Frog species.

**7. Invasive Species Management Plans and Implementation**

Closely connected to ecological restoration is invasive species management, in particular invasive plant management. TRCA's focus on invasive species management targets prevention, early detection and rapid response; eradication, containment and control; protection of high priority areas; and coordination, knowledge transfer and awareness. Using best

**Schedule “A” to MOU between  
TRCA and Toronto Zoo**

**DESCRIPTION OF AREAS FOR SERVICE AGREEMENTS**

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management practices, TRCA develops site specific invasive plant species management plans that typically include the objectives of reducing invasive infestation and restoring the site to native natural cover to provide optimal ecological function. Invasive species management plans generally include 3-5 years of staff-led control, followed by restoration and a long-term monitoring program to identify and manage new infestations. Depending on the site and the species, long-term management can often include community involvement.

**8. Restoration Opportunities Planning & Prioritization**

Ecosystem restoration planning requires an integrated approach considering many components of the natural system when prioritizing where and what to restore. Toronto and Region Conservation (TRCA) and partners have developed a multi-discipline and multi-benefit approach to restoration planning that facilitates effective restoration works, which contribute to delisting targets, realizing regional watershed objectives and provides development compensation options. Through various long-term monitoring and modelling initiatives TRCA has amassed a wealth of knowledge on terrestrial biodiversity, aquatic ecosystems, hydrology, and headwater conditions. The aim of Integrated Restoration Prioritization (IRP) is to identify impairments and threats to ecosystem function to improve the delivery of ecological goods and services. Consolidating data and comparing discrete areas based on different parameters and thresholds has helped direct decision making for future restoration initiatives. The first iteration of the IRP analyzed existing datasets, identified gaps, and made recommendations for future monitoring. Specifically, the IRP will ensure habitats and corridor linkages are protected, enhanced or rehabilitated throughout the Toronto and Region Area of Concern by identifying where impairments to ecological function are located, and prioritize upstream and local catchments that could contribute most to improving the natural system.

**9. Wildlife and Ecosystem Management Services**

Urban areas can often create conditions that result in human-wildlife conflict. Examples of this range from the fouling of manicured areas by Canada Geese, to beaver dams that impound water, to road ecology issues. As experts in wildlife habitat, TRCA has the knowledge and experience to undertake site specific management and reduce conflict. In most cases, human-wildlife conflict can be mitigated by undertaking appropriate ecosystem management measures, as well as education, rather than managing the wildlife itself. For example, vegetation impacts caused by white-tailed deer herbivory can usually be addressed through exclusion techniques that prevent deer access to vegetation. Wildlife mortality (i.e., small mammals and reptiles) due to vehicles can be mitigated through the proper design and installation of eco-passages and associated fencing. Wildlife management also includes a significant educational component to improve understanding, awareness and tolerance of urban wildlife, as well as to ensure the public understands actions they can take to improve their safety (i.e., coyote encounters).

**10. Carbon accounting and Energy Management**

Staff in Corporate Sustainability currently process both practical experience based knowledge and intensive course-work based training that demonstrates a high-level understanding of carbon accounting practices and standards. Capabilities of staff include how to scope, count,

**Schedule “A” to MOU between  
TRCA and Toronto Zoo**

**DESCRIPTION OF AREAS FOR SERVICE AGREEMENTS**

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track, verify, validate and report greenhouse gas emissions using the GHG Protocol Corporate Standard, ISO 14064:3 and CDP reporting practices. They maintain and utilize a digital library of GHG emission factors, global warming potential values, emission calculation tools, reporting templates and standards to assist in the quantification of sources to create an inventory, the calculation of emissions and monitoring procedures for project scale to corporate scale requirements.

Staff in Community Transformation, STEP Energy and PPG have technical knowledge and experience in energy benchmarking and diagnostics, level 1 energy auditing, building energy management, district energy systems and renewable energy and renewable fuels. These skills are available to assist our corporate partners in addressing their own energy management issues including development of building or corporate energy management plans, evaluation of energy management and generation options to address cost or GHG.

### **11. Trails and Facilities, Design, Permitting and Construction**

As one of the largest landowners in the Greater Toronto Area, TRCA is a leader in the planning, design, implementation and management of trails and associated infrastructure that provide safe, enjoyable recreational trail experiences for area residents and visitors. These offerings are developed such that the natural and cultural heritage resources are protected. TRCA's trail management activities also complement TRCA's aim to provide nature-based recreation experiences for a growing population while protecting and restoring the form and function of existing ecological systems. This experience which includes designing, construction and permitting related to infrastructure and facilities could be utilized by the Zoo in work on new facilities including exhibits proposed within sensitive environments in this section of the Rouge Valley.

### **12. Education and Community Learning**

The science of conservation and watershed management that TRCA undertakes within the Toronto region is a unique discipline that mirrors much of the Toronto Zoo's work related to species and habitat conservation both locally and globally. The applied science and ecosystem management expertise of TRCA and the Toronto Zoo provides a foundation for learning that other out-of-class learning providers, including school boards, camps and nature centres do not possess; for TRCA and Toronto Zoo the science that is taught is the science that is practiced. These represent unique differentiating opportunities to both connect the on-the-ground work of TRCA and the Toronto Zoo to the communities we serve, as well as continue to enhance the ability of TRCA and the Toronto Zoo to tell the story of ecosystems together by building stronger partnerships with school boards, advocating for increased investment in out-of-class learning opportunities for students and developing new science-based, curriculum-linked learning experiences.

Additionally, TRCA can support the expanded use of the Toronto Zoo as community space by building on TRCA's experience in re-imagining Black Creek Pioneer Village, the Kortright Centre

**Schedule “A” to MOU between  
TRCA and Toronto Zoo**

**DESCRIPTION OF AREAS FOR SERVICE AGREEMENTS**

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for Conservation and Bolton Camp as tourism and community destinations. TRCA can provide support related to leveraging the unique nature of the Toronto Zoo to enhance program, business development and delivery models that continue to diversify the economic model of the Toronto Zoo, while learning from the experience of the Toronto Zoo as a significant tourism attraction.

**Schedule “B” to MOU between  
TRCA and Toronto Zoo**

**LETTER OF AGREEMENT TEMPLATE**

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### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Moranne McDonnell, Director, Restoration and Infrastructure

**RE:** **REQUEST FOR TENDER FOR THE SUPPLY AND DELIVERY OF VARIOUS SIZES OF MATERIAL FOR PHASE II OF THE BLUFFER'S PARK SOUTH HEADLAND AND BEACH MAJOR MAINTENANCE PROJECT**  
RFT No. 10021241, 10021242, 10021243

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#### KEY ISSUE

Award of Request for Tender (RFT) No. 10021241 for the supply and delivery of 2,200 tonnes of 300 – 600 mm rip rap material, RFT No. 10021242 for the supply and delivery of 2,400 tonnes of 500 – 800 mm rip rap and RFT No. 10021243 for the supply and delivery of 14,000 tonnes of 5 – 7 tonne armourstone material.

#### RECOMMENDATION

**WHEREAS** Toronto and Region Conservation Authority (TRCA) is engaged in Phase II of the Bluffer's Park South Headland and Beach Major Maintenance Project that requires 2,200 tonnes of 300 – 600 mm rip rap material, 2,400 tonnes of 500 – 800 mm rip rap material and 14,000 tonnes of 5 – 7 tonne armourstone material;

**AND WHEREAS** TRCA solicited tenders through a publicly advertised process;

**THEREFORE THE EXECUTIVE COMMITTEE RECOMMENDS THAT** Request for Tender (RFT) No. 10021241 for 2,200 tonnes of 300 – 600 mm rip rap be awarded to Glenn Windrem Trucking at a total cost not to exceed \$84,700, plus applicable taxes, plus a contingency of 10% to be expended as authorized by Toronto and Region Conservation Authority (TRCA) staff;

**THAT** Request for Tender (RFT) No. 10021242 for 2,400 tonnes of 500 – 800 mm rip rap be awarded to Glenn Windrem Trucking at a total cost not to exceed \$92,400, plus applicable taxes, plus a contingency of 10% to be expended as authorized by Toronto and Region Conservation Authority (TRCA) staff;

**THAT** Request for Tender (RFT) No. 10021243 for 14,000 tonnes of 5 – 7 tonne armourstone be awarded to Atlantis Marine Construction at a total cost not to exceed \$973,000, plus applicable taxes, plus a contingency of 10% to be expended as authorized by Toronto and Region Conservation Authority (TRCA) staff;

**THAT** should TRCA staff be unable to negotiate a contract with the above-mentioned proponent, staff be authorized to enter into and conclude contract negotiations with other Proponents that submitted quotations, beginning with the next lowest bid meeting TRCA specifications;

**AND FURTHER THAT** authorized TRCA officials be directed to take whatever action may be required to implement the contract, including the obtaining of necessary approvals and the signing and execution of any documents.

### BACKGROUND

Toronto and Region Conservation Authority (TRCA) is preparing to undertake major maintenance works on existing shoreline protection structures within Bluffer's Park on the Lake Ontario waterfront. Bluffer's Park was built in the 1970s and opened to the public as a waterfront park in 1981. Erosion control structures along the shoreline of the park include a series of headlands, beaches, and revetments which provide protection to various public amenities such as a shoreline trail network, picnic and barbeque areas, washroom facilities, marinas, and a large public sand beach. These structures have been monitored annually by TRCA's Erosion Risk Management Program (ERMP) since 2006.

The project area includes an armourstone headland and sand/rip rap beach located near the southwest limits of the park. The ERMP has identified the headland as a failing structure since 2015, with a medium priority ranking for repair since 2017. The beach has been listed as failing and a medium priority for maintenance since 2010. The material requested to be procured in this report will be used to repair the failing headland.

In April 2018, TRCA was notified of significant damage to the headland and adjacent beach following a severe ice storm event which caused high wave conditions and damage to many areas along the shoreline. The waves caused significant displacement of armourstones and rip rap material, resulting in the complete collapse of the central portion of the headland. The structures were re-inspected under the ERMP, and both the headland and beach were identified as failed structures with the headland being recommended as the top priority for major maintenance.

Following this re-inspection, TRCA retained Riggs Engineering Ltd. (Riggs) through a competitive process to develop detailed designs for the repair of the headland and beach. The Project is being undertaken in three phases:

- **Phase I:** Interim maintenance of the collapsed portion of the headland – Implementation commenced in the fall of 2018 and was completed in January 2019.
- **Phase II:** Long-term maintenance of the headland – Scheduled for implementation July 2019 to April 2020
- **Phase III:** Long-term maintenance of the beach – Scheduled for 2020 to 2021, pending receipt of funding.

Riggs has developed detailed designs for long-term maintenance of the headland, considering existing coastal conditions and predicted future conditions, to address the main concerns of wave overtopping and armourstone slope instability. Long-term maintenance involves increasing the crest elevation height and the partial reconstruction of the headland by filling material voids in the existing structure and then capping with a supplemental layer of 5-7 tonne armourstone.

Riggs and TRCA estimate approximately 2,200 tonnes of 300 – 600 mm rip rap, 2,400 tonnes of 500 – 800 mm rip rap and 14,000 tonnes of 5-7 tonne armourstone will be required to complete this work.



## Item 8.5.

### RATIONALE

A RFT for general contractors for materials required for maintenance of the south headland was publicly advertised on the public procurement website [www.biddingo.com](http://www.biddingo.com) on May 17, 2019. The RFT closed on May 27, 2019.

No addendums were issued as no questions were received.

Submissions were received from the following Proponent(s):

- Atlantis Marine Construction
- Bronte Construction
- CDR Young's Aggregates
- Miller Group
- Glenn Windrem Trucking

CDR Young's Aggregates was disqualified for not including a bid bond in their submission.

The Procurement Opening Committee opened the Tenders on May 27, 2019 at 1:00pm with the following results:

#### RFT No. 100021241 - Supply and Delivery of 2,200 Tonnes of 300 – 600 mm Rip Rap

Proponent	Fee (Plus HST)
Glenn Windrem Trucking	\$84,700
Miller Group	\$86,790
Bronte Construction	\$134,640
Atlantis Marine Construction	No Bid
CDR Young's Aggregates Inc.	Disqualified

Staff reviewed the bid received from Glenn Windrem Trucking against its own cost estimate and has determined that the bid is of reasonable value and meets the requirements as outlined in the RFT documents. Therefore, it is recommended that contract No. 10021241 be awarded to Glenn Windrem Trucking at a total cost not to exceed \$84,700, plus 10% contingency, plus applicable taxes, it being the lowest bid meeting TRCA's specifications.

#### RFT No. 100021242 - Supply and Delivery of 2,400 Tonnes of 500 – 800 mm Rip Rap

Proponent	Fee (Plus HST)
Glenn Windrem Trucking	\$92,400
Miller Group	\$94,680
Bronte Construction	\$173,610
Atlantis Marine Construction	No Bid
CDR Young's Aggregates Inc.	Disqualified

Staff reviewed the bid received from Glenn Windrem Trucking against its own cost estimate and has determined that the bid is of reasonable value and meets the requirements as outlined in the RFT documents. Therefore, it is recommended that contract No. 10021242 be awarded to Glenn Windrem Trucking at a total cost not to exceed \$92,400, plus 10% contingency, plus applicable taxes, it being the lowest bid meeting TRCA's specifications.

## Item 8.5.

### RFT No. 100021243 - Supply and Delivery of 14,000 Tonnes of 5 – 7 Tonne Armourstone

Proponent	Fee (Plus HST)
Atlantis Marine Construction	\$973,000
Bronte Construction	\$1,529,500
Glenn Windrem Trucking	No Bid
Miller Group	No Bid
CDR Young's Aggregates Inc.	Disqualified

Staff reviewed the bid received from Atlantis Marine Construction against its own cost estimate and has determined that the bid is of reasonable value and meets the requirements as outlined in the RFT documents. Therefore, it is recommended that contract No. 10021243 be awarded to Atlantis Marine Construction at a total cost not to exceed \$973,000, plus 10% contingency, plus applicable taxes, it being the lowest bid meeting TRCA's specifications.

### Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategic priority set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 2 – Manage our regional water resources for current and future generations**

**Strategy 7 – Build partnerships and new business models**

### FINANCIAL DETAILS

Funds for the contract will be recovered from Parks, Forestry and Recreation through the City of Toronto Master Service Agreement dated August 15, 2018. Expenses are being tracked through account code 186-44.

**Report prepared by: Jet Taylor, extension 5526**

**Emails: jet.taylor@trca.ca**

**For Information contact: Jet Taylor, extension 5526**

**Emails: jet.taylor@trca.ca**

**Date: May 7, 2019**

**Attachments: 1**

Attachment 1: Bluffer's Park South Headland and Beach Major Maintenance Project – Project Area



### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Darryl Gray, Director, Education and Training

**RE:** **AUDITED FINANCIAL STATEMENTS**  
Ontario Government Funded Professional Access Into Employment (PAIE)  
Program

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#### KEY ISSUE

Approval of the Professional Access Into Employment (PAIE) Program Statement of Revenue and Expenditure for the period April 1, 2018 to March 31, 2019.

#### RECOMMENDATION

**THAT the Professional Access Into Employment (PAIE) Program Statement of Revenue and Expenditure (the Statement), as outlined in Attachment 1, be approved and signed by the Chair and Chief Executive Officer / Secretary-Treasurer in accordance with the Ministry of Training, Colleges and Universities (MTCU)'s Audit and Accountability Guidelines for 2018-2019 Ontario Bridge Training Projects (Guidelines);**

**THAT the Management Representation Letter as outlined in Attachment 2 be signed by the Chair and Chief Executive Officer / Secretary-Treasurer in accordance with the MTCU's Guidelines;**

**THAT the Ontario Transfer Payment Agreement effective April 1, 2018 in Attachment 3 be received;**

**THAT the Amended Agreement effective March 1, 2019 in Attachment 4 be received;**

**THAT the Memorandum dated March 18, 2019 in Attachment 5 be received;**

**AND FURTHER THAT the Audited Statement of Revenue and Expenses, as outlined in Attachment 6 be received.**

#### BACKGROUND

With funding from MTCU, Toronto and Region Conservation Authority (TRCA) has been delivering the PAIE bridge training program since 2006 to assist internationally trained professionals in accessing training, licensing and employment opportunities in their field within the environmental sector.

As part of MTCU's Guidelines, Board of Directors approval of PAIE's Statement of Revenue and Expenditures is required (Attachment 1), as verification that the financial information in the report is complete and accurate.

In addition, MTCU requires that a Management Representation Letter be signed by the Chair and Chief Executive Officer / Secretary-Treasurer regarding the Statement.

## Item 8.6.

### **RATIONALE**

As a condition of the MTCU funding, the Board of Directors is responsible for financial reporting and ultimately responsible for reviewing and approving the Statement internally, including verification that:

- Project funding has been solely applied to costs directly related to the Project;
- Funding and/or expenditures from other sources, not directly related to this project, have not been included in the Report;
- MTCU expects that tuition and program fees will be used to off-set program costs related to the delivery of the bridge training project;
- Reported expenditure is net of HST rebates;
- Shared costs have been properly apportioned to the Project;
- The Project bears full responsibility for absorbing any project deficits;
- Project funds that were provided to the Project prior to their immediate need were maintained in an interest-bearing account; and
- Interest earned on Project funding has been credited to the Project.

The accounting firm of KPMG LLP has completed the audit of the Statement of Revenue and Expenses. The Statement and accompanying clean opinion are presented in Attachment 6.

**Report prepared by: Dash Paja, extension 5593**

**Email: [dashnor.paja@trca.ca](mailto:dashnor.paja@trca.ca)**

**For Information contact: Pamela Papadopoulos, extension 5973**

**Email: [pamela.papadopoulos@trca.ca](mailto:pamela.papadopoulos@trca.ca)**

**Date: June 6, 2019**

**Attachments: 6**

Attachment 1: Professional Access Into Employment (PAIE) Program Statement of Revenue and Expenditure

Attachment 2: Management Representation Letter

Attachment 3: Ontario Transfer Payment Agreement effective April 1, 2018

Attachment 4: Amended Ontario Transfer Payment Agreement effective March 1, 2019

Attachment 5: Memorandum dated March 18, 2019

Attachment 6: Audited Statement of Revenue and Expenses

## Appendix II: Statement of Revenue and Expenditure Template

FOR THE REPORTING PERIOD FROM April 1, 2018 TO March 31, 2019

(Please refer to your Schedule B for the Reporting Period)

Organization Name: Toronto and Region Conservation Authority

Project Case Number: 2017-08-1-642994447

Organizational Contact Name: Leigha Howard, Supervisor Telephone #: (416) 661-6600 ext. 5343

Project Name: Professional Access Into Employment (PAIE): Connecting to the Green Economy

PROJECT REVENUE	
Approved Carryover Funding from Previous Reporting Period(s)	\$
Ministry Funding for audit period as per <i>Schedule D</i> (2018/2019)	\$ 605,141.00
Tuition/Program Fees	\$ 21,932.00
<b>Total Revenue</b>	<b>\$ 627,073.00</b>

PROJECT EXPENDITURE	
<b>Total Expenditure</b>	<b>\$ 599,739.17</b>

Funds due to the Ministry	
Unspent Funds	\$ 27,333.83
Interest Earned on Unspent Funds	\$ 2,519.36
<b>Total Funds due to the Ministry</b>	<b>\$ 29,853.19</b>

I verify that the above financial information is correct and that:

- Project funding has been solely applied to costs directly related to the Project;
- Funding and/or expenditures from other sources, not directly related to this project, have not been included in the Report;
- The Ministry expects that tuition/program fees will be used to off-set program costs related to the delivery of the bridge training project.
- Reported expenditure is net of HST rebates;
- Shared costs have been properly apportioned to the Project;
- The Project bears full responsibility for absorbing any project deficits;
- Project funds that were provided to the Project prior to their immediate need were maintained in an interest-bearing account; and
- Interest earned on Project funding has been credited to the Project.

I/we certify that the information is true and correct to the best of my/our knowledge and claimed in accordance with the Ontario Bridge Funding Agreement.

Toronto and Region Conservation Authority

Not-for-Profit Organization

\_\_\_\_\_  
John MacKenzie  
Chief Executive Officer and Secretary-Treasurer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jennifer Innis  
Chair

\_\_\_\_\_  
Date

I/we have the authority to bind the Recipient



To Ministry of Training, Colleges and Universities

June 21, 2019

This management representation letter is provided in connection with our audited financial statements of Toronto and Region Conservation Authority (TRCA)'s Professional Access Into Employment (PAIE) Program for the year ended March 31, 2019. The financial statements of TRCA's PAIE Program are the responsibility of management and have been approved by the Board of Directors.

The financial statements have been prepared by management in accordance with Canadian Generally Accepted Accounting Principles. Management has determined that its choice of accounting policies supporting the amounts presented on the financial statements, are presented fairly, in all material respects.

TRCA maintains systems of internal accounting and administrative controls of high quality. Such systems are designed to provide reasonable assurance that the financial information is relevant, reliable and accurate and that TRCA's operations are appropriately accounted for and assets are adequately safeguarded.

All transactions have been recorded in the accounting records and are reflected in the financial statements. All liabilities have been reviewed by management in consultation with its external auditor KPMG LLP. There are no material liabilities or contingencies as at the date of this report.

Significant assumptions used by management in making accounting estimates, including those measured at fair value, are reasonable and approved by the Board of Directors.

There were no uncorrected misstatements noted as a result of the audit.

This letter confirms that management and the Board of Directors have provided; access to all information to the external auditors of which they were aware of that is relevant to the preparation of the financial statements, such as records, documentation and other matters; additional information that was requested by the external auditors for the purpose of the audit, and provided unrestricted access to persons within the entity who would be determined necessary to provide audit evidence.

The Board of Directors is responsible for ensuring that management fulfills its responsibilities for financial reporting and is ultimately responsible for reviewing and approving the financial statements. This letter confirms that management and the Board of Directors have fulfilled their responsibilities, as determined in the transfer payment agreement dated April 1, 2018 and the amended agreement effective March 1, 2019.



I/we certify that the information is true and correct to the best of my/our knowledge and claimed in accordance with the Ontario Bridge Funding Agreement.

---

John Mackenzie  
Chief Executive Officer and Secretary-Treasurer

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Date

---

Jennifer Innis  
Chair

---

Date

I/we have the authority to bind the Recipient

## ONTARIO TRANSFER PAYMENT AGREEMENT

**THE AGREEMENT** is effective as of the **first day of April 1, 2018**

### **B E T W E E N :**

**Her Majesty the Queen in right of Ontario  
as represented by the Minister of Citizenship and Immigration  
(the "Province")**

**- and -**

**TORONTO AND REGION CONSERVATION AUTHORITY (TRCA)  
(the "Recipient")**

### **CONSIDERATION**

In consideration of the mutual covenants and agreements contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

#### **1.0 ENTIRE AGREEMENT**

##### **1.1 The agreement, together with:**

Schedule "A" - General Terms and Conditions  
Schedule "B" - Project Specific Information and Additional Provisions  
Schedule "C" - Project Description and Timelines  
Schedule "D" - Budget  
Schedule "E" - Payment Plan  
Schedule "F" - Reports  
Schedule "G" - Acknowledgement, and  
any amending agreement entered into as provided for in section 4.1,

constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

## **2.0 CONFLICT OR INCONSISTENCY**

**2.1 Conflict or Inconsistency.** In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule "A", the following rules will apply:

- (a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule "A"; and
- (b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule "A", the Additional Provisions will prevail over the provisions in Schedule "A" to the extent of the inconsistency.

## **3.0 COUNTERPARTS**

**3.1** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

## **4.0 AMENDING THE AGREEMENT**

**4.1** The Agreement may only be amended by a written agreement duly executed by the Parties.

## **5.0 ACKNOWLEDGEMENT**

**5.1** The Recipient acknowledges that:

- (a) by receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Broader Public Sector Accountability Act, 2010* (Ontario), the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario);
- (b) Her Majesty the Queen in right of Ontario has issued expenses, perquisites, and procurement directives and guidelines pursuant to the *Broader Public Sector Accountability Act, 2010* (Ontario);
- (c) the Funds are:

- (i) to assist the Recipient to carry out the Project and not to provide goods or services to the Province;
- (ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario);
- (d) the Province is not responsible for carrying out the Project; and
- (e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

**- SIGNATURE PAGE FOLLOWS -**

The Parties have executed the Agreement on the dates set out below.

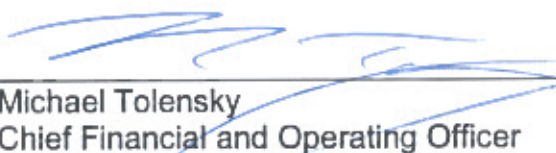
**HER MAJESTY THE QUEEN IN RIGHT OF  
ONTARIO as represented by the Minister of  
Citizenship and Immigration**

April 19 / 2018  
Date

  
\_\_\_\_\_  
Yvonne Ferrer  
A/Director, Program Management and Evaluation  
Branch

**TORONTO AND REGION CONSERVATION  
AUTHORITY**

April 2, 2018  
Date

  
\_\_\_\_\_  
Michael Tolensky  
Chief Financial and Operating Officer

I have authority to bind the Recipient.

**SCHEDULE "A"**  
**GENERAL TERMS AND CONDITIONS**

---

**A1.0 INTERPRETATION AND DEFINITIONS**

**A1.1 Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

**A1.2 Definitions.** In the Agreement, the following terms will have the following meanings:

**"Additional Provisions"** means the terms and conditions set out in Schedule "B".

**"Agreement"** means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

**"Budget"** means the budget attached to the Agreement as Schedule "D".

**"Business Day"** means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

**"Effective Date"** means the date set out at the top of the Agreement.

**"Event of Default"** has the meaning ascribed to it in section A13.1.

**"Expiry Date"** means the expiry date set out in Schedule "B".

**"Funding Year"** means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and
- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31.

**“Funds”** means the money the Province provides to the Recipient pursuant to the Agreement.

**“Indemnified Parties”** means Her Majesty the Queen in right of Ontario, Her ministers, agents, appointees, and employees.

**“Intellectual Property”** has the meaning ascribed by the common law and any statute law, both in Canada and internationally, and include patents, copyright, trademarks, and trade secrets.

**“Maximum Funds”** means the maximum Funds set out in Schedule “B”.

**“Notice”** means any communication given or required to be given pursuant to the Agreement.

**“Notice Period”** means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A13.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A13.4.

**“Participant”** means an internationally trained individual who is a newcomer to Ontario, including naturalized Canadians, permanent residents, convention refugees, and refugee claimants who are eligible to work in Ontario.

**“Parties”** means the Province and the Recipient.

**“Party”** means either the Province or the Recipient.

**“Project”** means the undertaking described in Schedule “C”.

**“Reports”** means the reports described in Schedule “F”.

## **A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS**

### **A2.1 General.** The Recipient represents, warrants, and covenants that:

- (a) it is, and will continue to be, a validly existing legal entity with full power to fulfill its obligations under the Agreement;

- (b) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (c) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and
- (d) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

**A2.2 Execution of Agreement.** The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement.

**A2.3 Governance.** The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) a code of conduct and ethical responsibilities for all persons at all levels of the Recipient's organization;
- (b) procedures to enable the Recipient's ongoing effective functioning;
- (c) decision-making mechanisms for the Recipient;
- (d) procedures to enable the Recipient to manage Funds prudently and effectively;
- (e) procedures to enable the Recipient to complete the Project successfully;
- (f) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- (g) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and
- (h) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.



**A2.4 Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

### **A3.0 TERM OF THE AGREEMENT**

**A3.1 Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0, Article A12.0, or Article A13.0.

### **A4.0 FUNDS AND CARRYING OUT THE PROJECT**

**A4.1 Funds Provided.** The Province will:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule "E"; and
- (c) deposit the Funds into an account designated by the Recipient provided that the account:
  - (i) resides at a Canadian financial institution; and
  - (ii) is in the name of the Recipient.

**A4.2 Limitation on Payment of Funds.** Despite section A4.1:

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof as the Province may request pursuant to section A10.2;
- (b) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project;
- (c) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province's assessment of the information the Recipient provides to the Province pursuant to section A7.1; or
- (d) if, pursuant to the *Financial Administration Act* (Ontario), the Province does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may:

- (i) reduce the amount of Funds and, in consultation with the Recipient, change the Project; or
- (ii) terminate the Agreement pursuant to section A12.1.

**A4.3 Use of Funds and Carry Out the Project.** The Recipient will do all of the following:

- (a) carry out the Project in accordance with the Agreement;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget;
- (d) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario;
- (e) not use the Funds for Participant stipends; Participant wage subsidies; capital expenditures such as the purchase, renovation or construction of facilities; profit-making activities that fall outside the scope of the Project; performance bonuses for the Recipient's employees, contractors or agents; and budget deficits.

**A4.4 Interest Bearing Account.** If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial institution.

**A4.5 Interest.** If the Recipient earns any interest on the Funds, the Province may:

- (a) deduct an amount equal to the interest from any further instalments of Funds; or
- (b) demand from the Recipient the payment of an amount equal to the interest.

**A4.6 Rebates, Credits, and Refunds.** The Ministry will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

## **A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS**

**A5.1 Acquisition.** If the Recipient acquires goods, services, or both with the Funds,

it will:

- (a) do so through a process that promotes the best value for money; and
- (b) comply with the *Broader Public Sector Accountability Act, 2010* (Ontario), including any procurement directive issued thereunder, to the extent applicable.

**A5.2 Disposal.** The Recipient will not, without the Province's prior written consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

## **A6.0 CONFLICT OF INTEREST**

**A6.1 No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest.

**A6.2 Conflict of Interest Includes.** For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

**A6.3 Disclosure to Province.** The Recipient will:

- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential, or perceived conflict of interest; and
- (b) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

## **A7.0 REPORTS, ACCOUNTING, AND REVIEW**

**A7.1 Preparation and Submission.** The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1, all Reports in accordance with the timelines and content requirements as provided for in Schedule "F", or in a form as specified by the Province from time to time;

- (b) submit to the Province at the address referred to in section A17.1, any other reports as may be requested by the Province in accordance with the timelines and content requirements specified by the Province;
- (c) ensure that all Reports and other reports are completed to the satisfaction of the Province; and
- (d) ensure that all Reports and other reports are signed on behalf of the Recipient by an authorized signing officer.

**A7.2 Record Maintenance.** The Recipient will keep and maintain:

- (a) all financial records (including invoices) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles; and
- (b) all non-financial documents and records relating to the Funds or otherwise to the Project.

**A7.3 Inspection.** The Province, any authorized representative, or any independent auditor identified by the Province may, at the Province's expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to review the progress of the Project and the Recipient's allocation and expenditure of the Funds and, for these purposes, the Province, any authorized representative, or any independent auditor identified by the Province may take one or more of the following actions:

- (a) inspect and copy the records and documents referred to in section A7.2;
- (b) remove any copies made pursuant to section A7.3(a) from the Recipient's premises; and
- (c) conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds, the Project, or both.

**A7.4 Disclosure.** To assist in respect of the rights provided for in section A7.3, the Recipient will disclose any information requested by the Province, any authorized representatives, or any independent auditor identified by the Province, and will do so in the form requested by the Province, any authorized representative, or any independent auditor identified by the Province, as the case may be.

**A7.5 No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

**A7.6 Auditor General.** The Province's rights under Article A7.0 are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

## **A8.0 COMMUNICATIONS REQUIREMENTS**

**A8.1 Acknowledge Support.** Unless otherwise directed by the Province, the Recipient will:

- (a) acknowledge the support of the Province for the Project; and
- (b) ensure that the acknowledgement referred to in section A8.1(a) is in a form and manner as directed by the Province.

**A8.2 Publication.** The Recipient will indicate, in any of its Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

## **A9.0 INDEMNITY**

**A9.1 Indemnification.** The Recipient will indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages, and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits, or other proceedings, by whomever made, sustained, incurred, brought, or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

## **A10.0 INSURANCE**

**A10.1 Recipient's Insurance.** The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence. The insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;

- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

**A10.2 Proof of Insurance.** The Recipient will:

- (a) provide to the Province, either:
  - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1; or
  - (ii) other proof that confirms the insurance coverage as provided for in section A10.1; and
- (b) upon the request of the Province, provide to the Province a copy of any insurance policy.

**A11.0 TERMINATION ON NOTICE**

**A11.1 Termination on Notice.** The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

**A11.2 Consequences of Termination on Notice by the Province.** If the Province terminates the Agreement pursuant to section A11.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
  - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A11.2(b); and
  - (ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

**A12.0 TERMINATION WHERE NO APPROPRIATION**

**A12.1 Termination Where No Appropriation.** If, as provided for in section A4.2(d), the Province does not receive the necessary appropriation from the Ontario Legislature for any payment the Province is to make pursuant to the

Agreement, the Province may terminate the Agreement immediately without liability, penalty, or costs by giving Notice to the Recipient.

**A12.2 Consequences of Termination Where No Appropriation.** If the Province terminates the Agreement pursuant to section A12.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to section A12.2(b).

**A12.3 No Additional Funds.** If, pursuant to section A12.2(c), the Province determines that the costs to wind down the Project exceed the Funds remaining in the possession or under the control of the Recipient, the Province will not provide additional Funds to the Recipient.

#### **A13.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT**

**A13.1 Events of Default.** Each of the following events will constitute an Event of Default:

- (a) in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:
  - (i) carry out the Project;
  - (ii) use or spend Funds; or
  - (iii) provide, in accordance with section A7.1, Reports or such other reports as may have been requested pursuant to section A7.1(b);
- (b) the Recipient's operations, its financial condition, or its organizational structure, changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;
- (c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an



application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver; or

- (d) the Recipient ceases to operate.

**A13.2 Consequences of Events of Default and Corrective Action.** If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient; and
- (i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

**A13.3 Opportunity to Remedy.** If, in accordance with section A13.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

**A13.4 Recipient not Remediating.** If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to section A13.2(b), and:



- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A13.2(a), (c), (d), (e), (f), (g), (h), and (i).

**A13.5 When Termination Effective.** Termination under Article will take effect as provided for in the Notice.

#### **A14.0 FUNDS AT THE END OF A FUNDING YEAR**

**A14.1 Funds at the End of a Funding Year.** Without limiting any rights of the Province under Article A13.0, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

#### **A15.0 FUNDS UPON EXPIRY**

**A15.1 Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession or under its control.

#### **A16.0 DEBT DUE AND PAYMENT**

**A16.1 Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

**A16.2 Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or

an amount equal to any Funds; or

- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such Funds or other amount will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amount to the Province immediately, unless the Province directs otherwise.

**A16.3 Interest Rate.** The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

**A16.4 Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province as provided for in Schedule "B".

**A16.5 Fails to Pay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

## **A17.0 NOTICE**

**A17.1 Notice in Writing and Addressed.** Notice will be in writing and will be delivered by email, postage-prepaid mail, personal delivery, or fax, and will be addressed to the Province and the Recipient respectively as provided for Schedule "B", or as either Party later designates to the other by Notice.

**A17.2 Notice Given.** Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
- (b) in the case of email, personal delivery, or fax, one Business Day after the Notice is delivered.

**A17.3 Postal Disruption.** Despite section A17.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will give Notice by email, personal delivery, or fax.

## **A18.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT**

- A18.1 Consent.** When the Province provides its consent pursuant to the Agreement, it may impose any terms and conditions on such consent and the Recipient will comply with such terms and conditions.

## **A19.0 SEVERABILITY OF PROVISIONS**

- A19.1 Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision will be deemed to be severed.

## **A20.0 WAIVER**

- A20.1 Waiver Request.** Either Party may, in accordance with the Notice provision set out in Article A17.0, ask the other Party to waive an obligation under the Agreement.

- A20.2 Waiver Applies.** Any waiver a Party grants in response to a request made pursuant to section A20.1 will:

- (a) be valid only if the Party granting the waiver provides it in writing; and
- (b) apply only to the specific obligation referred to in the waiver.

## **A21.0 INDEPENDENT PARTIES**

- A21.1 Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

## **A22.0 ASSIGNMENT OF AGREEMENT OR FUNDS**

- A22.1 No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.
- A22.2 Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on the Parties' respective heirs, executors, administrators, successors, and permitted assigns.

## **A23.0 GOVERNING LAW**

- A23.1 Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of

the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

#### **A24.0 FURTHER ASSURANCES**

**A24.1 Agreement into Effect.** The Recipient will provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains, and will otherwise do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

#### **A25.0 JOINT AND SEVERAL LIABILITY**

**A25.1 Joint and Several Liability.** Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

#### **A26.0 RIGHTS AND REMEDIES CUMULATIVE**

**A26.1 Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

#### **A27.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS**

**A27.1 Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a **"Failure"**);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

#### **A28.0 SURVIVAL**

**A28.1 Survival.** The following Articles and sections, and all applicable cross-referenced sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 3.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.2(d), A4.5, section A5.2, section A7.1 (to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province), sections A7.2, A7.3, A7.4, A7.5, A7.6, Article A8.0, Article A9.0, section A11.2, sections A12.2, A12.3, sections A13.1, A13.2(d), (e), (f), (g) and (h), Article A15.0, Article A16.0, Article A17.0, Article A19.0, section A22.2, Article A23.0, Article A25.0, Article A26.0, Article A27.0 and Article A28.0.

**- END OF GENERAL TERMS AND CONDITIONS -**

**SCHEDULE "B"**  
**PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS**

<b>Maximum Funds</b>	\$1,848,995
<b>Expiry Date</b>	September 30, 2021
<b>Amount for the purposes of section A5.2 (Disposal) of Schedule "A"</b>	\$1,000
<b>Insurance</b>	\$2,000,000
<b>Contact information for the purposes of Notice to the Province</b>	Yvonne Ferrer A/Director Program Management and Evaluation Branch Ministry of Citizenship and Immigration 400 University Avenue, Third Floor Toronto ON M7A 2R9 Phone: 416-326-2597 Email: yvonne.ferrer@ontario.ca
<b>Contact information for the purposes of Notice to the Recipient</b>	Kathy Stranks Clerk and Senior Manager, Clerk and Corporate Records Toronto and Region Conservation Authority 5 Shoreham Drive, North York, ON, M3N 1S4 (416) 661-6600 Ext. 5264 kstranks@trca.on.ca
<b>Contact information for the Recipient for all other communications relating the Project</b>	Leigha Howard Supervisor, Newcomer Programs Toronto and Region Conservation Authority 5 Shoreham Drive, North York, ON, M3N 1S4 (416) 661-6600 Ext. 5343 lhoward@trca.on.ca

**Additional Provisions:**

**Tuition and Program Fees Policies.** If the Recipient charges Participants tuition or fees for services delivered, the Recipient shall have in place written policies governing the refund of such fees in the event of Participant drop out or the program is cancelled. The Recipient shall ensure that such policies are communicated to all Participants, and that refunds are proportionate to the length of time the Participant has been enrolled in the program.

**Project Collaboration.** The Recipient shall enter into formal agreements with any organizations that use Project funding for the purposes of carrying out the Project through the program described in Schedule C.

**Intellectual Property Rights and Grant of License.** Where in the course of delivering the Project the Recipient produces any work that is subject to Intellectual Property Rights, those rights will vest in the Recipient, and the Recipient shall grant to the Province a non-exclusive, unconditional, irrevocable, and royalty-free right and worldwide licence to use, produce, reproduce, publish, translate, adapt, record by any means, diffuse, or broadcast the work. The Recipient represents and warrants that any such work shall not infringe or induce the infringement of any third-party intellectual property rights. Materials copyrighted to the Province remains its property.

**Acknowledge Support and Provide Copies of Promotional Materials.**

Unless otherwise directed by the Province, the Recipient shall acknowledge, in a format approved by the Province, the support of the Province in all materials related to the Project, by

1. including the acknowledgment(s) set out in Schedule "G";
2. indicating in all such materials that the Recipient is solely responsible for the content of the materials;
3. display signage, in accordance with Schedule G, that states that the Project is funded by the Government of Ontario;
4. acknowledge the support of the Province in its advertising and promotional activities, in its speeches, lectures, publications and in its recruitment procedures, in accordance with any advertising and promotional tools and resources provided by the Province.

The Recipients shall provide to the Province, prior to release, an electronic copy or likeness of all public communications related to the Project, including reports, announcements, brochures, audiovisual materials, and any advertising and promotional materials.

**Other Agreements.** The Recipient shall not enter into any agreement, including but not limited to any other funding agreement, specifically related to the Project if the terms of that agreement would conflict with the requirements of the Province under this Agreement.



**SCHEDULE "C"**  
**PROJECT DESCRIPTION AND TIMELINES**

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**Case Number: 2017-08-1-642994447**

**Project Name: PAIE Program: Connecting to the Green Economy**

**Project Description**

The TRCA's PAIE Program will continue to help internationally trained Environmental Engineers, Geoscientists, Planners, Ecologists, and Green Building Specialists to obtain commensurate employment here in Ontario. As a program developed for regulated professions, PAIE will also assist participants in obtaining professional licensure.

Participants in PAIE will continue to have access to the following training components; Job Search Training for Internationally Trained Environmental Technical Professionals and Corporate Culture and Communication in Canada (TRCA's Career Development Series Part I and II), Occupation-Specific Communications Training, Individualized Employment Counseling, Licensure Support, Mentoring, Industry-Led Technical Training and Paid Professional Work Experience Opportunities.

**Project Objectives**

- To continue to deliver, evaluate, and revise as recommended and evaluate an environmental program for internationally trained environmental professionals seeking commensurate employment in Ontario.
- To continue to leverage relationships within the Toronto and Region Conservation Authority organizations, as well as outside of the organization, for purposes of engaging employers to participate as mentors, or work placement hosts and to participate on the project advisory committee.
- To document and report on the impact of this project in helping participants secure commensurate employment, and licensure to practice.

**Performance Measures**

<b>Performance Measure</b>	<b>Target</b>
Number of participants who apply to the program	160
Number of participants who access the program.	110
Number of participants who complete the program.	99
Number of participants who achieve licensure in a regulated occupation or mandatory trade	39
Total number of participants who obtain commensurate employment in their field	88
Total number of participants who gain a mentoring opportunity	75



## Project Activities

1. Develop and implement an external evaluation process to analyze the effectiveness of each component of the Project and the overall Project activities, including the use of an external evaluator.
2. Develop and implement a strategy to ensure that the program delivery will continue beyond the end of this funding through in-kind contributions and revenue generating activities such as cost sharing agreements, user fees and fundraising, and other appropriate funding sources.
3. Develop and implement a strategy to recruit employers to participate as mentors and contribute on the project advisory committee.
4. Develop and implement a strategy to secure paid work placement opportunities for project participants.
5. Engage with relevant stakeholders and regulatory bodies to ensure that the course curriculum is current and relevant.
6. Track participants to report on employment and licensure status of participants for 3 and 12 months after completing the program.
7. Deliver the following main project components:
  - a. **Individual Coaching (unlimited, ongoing)** – Extensive one on one individual coaching for all program participants provided by a PAIE Coordinator who specializes in the particular area of professional expertise of each participant. Participants receive support on the development, implementation, tracking and monitoring of all aspects of their customized individual job search and training plans. Coaching complements and reinforces concepts and material taught in all training components and is provided to all participants throughout the entire duration of the program.
  - b. **Job Search Training for Technical Professionals (8 in class sessions, 11 online modules)** - Referred to as JSTTP, the course provides 30 hours of targeted, sector specific curriculum and is offered to program participants using a blended learning format of online modules and in-class sessions that included structured activities for participants to practice what they learned in a supportive environment.
  - c. **Profession Specific Training (~ 140 hours)** - Tailored to suit composition of specializations represented by each cohort, selected from a roster of approximately 34 technical workshops, 3 hours in length, designed and delivered by licensed industry experts and professional trainers. Sessions focus on key knowledge areas, standards of practice, relevant legislation, and widely utilized technical software that internationally trained professionals could not be expected to have learned or utilized in their prior work experience abroad, but are necessary for professional practice in Ontario.

- d. **Corporate Culture & Communication in Canada (8 in class sessions, 15 online modules)** – This 32-hour course will be delivered in class and on-line. Two and a half hour long weekly sessions in class are complimented by online modules to further equip participants to successfully access and retain a job in a professional Canadian workplace.
- e. **Work Experience Opportunities** – PAIE will recruit employers for paid work experience opportunities that will help fulfill the experience requirement for licensure with PEO or APGO. Participants will be placed in 3-12 month paid work experience opportunities in their field in Canada.
- f. **Mentoring (Varied: 1 - 16 hours)** – Participants will have the opportunity to participate in a variety of mentoring activities including individual/group informational interviews, ongoing individual/group mentoring, a rapid mentoring event and job shadowing as needed.
- g. **Licensure/ Certification Training & Support** – Participants will be provided opportunities to attend licensing workshops facilitated by representatives of regulators/certification bodies including PEO and APGO. Participants will also have access to PAIE contacts from PEO and APGO throughout the duration of the program to address any licensing questions or concerns.
- h. **Speaking with Clarity Training (8 classes, 16 hours)** - to address key pronunciation issues that have the greatest impact on listener understanding, such as intonation, sentence rhythm and stress. Key pronunciation "hot spots" will be identified and weak areas are specifically targeted and addressed. Each participant will receive some individualized feedback and practice assignments for home study.

## Timelines

TRCA will:

April 1, 2018, 2018-March 31, 2019

- Establish project governance structure/advisory committee
- Confirm collaboration agreements with cohort 1 training instructors
- Engage and conduct consultations with stakeholders including the PAIE Advisory Committee
- Adapt/develop technical curriculum
- Develop and implement marketing/engagement strategy and materials
- Outreach to employers
- Secure work experience opportunities for Participants
- Procure services of an external evaluator
- Finalize outreach for cohort 1 Applicants (Dec 2017 – Mar 2018)

- Conduct cohort 1 applicant screening and participant selection (April – May 2018)
- Deliver program to cohort 1 participants (June 2018 to June 2019)

Including:

- Job Search and Canadian Corporate Culture training (June – Aug 2018)
- Employer outreach and job development services (June 2018 – June 2019)
- Assigning individual Participants to a Designated PAIE Coordinator (Aug 2018)
- Individual Intake Assessments (Aug 2018)
- Individual job search & training plan development and progress monitoring (Aug 2018 – June 2019)
- Individual job search, employment and job retention coaching (Aug 2018 – June 2019)
- Mentoring services including needs assessment, mentor matching, monitoring of mentoring relationships and provision of support to mentors and mentees as needed (Sep 2018 – May 2019)
- Profession specific training and field excursions (Sep 2018 – Apr 2019)
- Speaking with Clarity (language/pronunciation) training as needed (Sep – Oct 2018)
- Track performance measures
- Evaluate all program components internally and via third party evaluator
- Complete and submit Funder reports as outlined in Schedule “F”
- Begin Outreach for cohort 2 participants (March 2019)

April 1, 2019-March 31, 2020

- Continue delivery of program to cohort 1 participants including:
  - Employer outreach and job development services (to June 2019 as needed)
  - Individual job search & training plan progress monitoring (to June 2019 as needed)
  - Individual job search, employment and job retention coaching (to June 2019 as needed)
  - Mentoring services including mentor matching, monitoring of mentoring relationships and provision of support to mentors and mentees as needed (to May 2019)
  - End of program focus group and certificate of completion gathering (July 2019)
- Confirm collaboration agreements with Cohort 2 training instructors
- Engage and conduct consultations with stakeholders including the PAIE Advisory Committee
- Adapt/develop technical curriculum
- Implement marketing/engagement strategy and materials
- Outreach to employers
- Secure work experience opportunities for any remaining cohort 1 participants (to June 2019)
- Secure work experience opportunities for cohort 2 participants
- Track performance measures

- Evaluate all program components internally and via third party evaluator
- Complete and submit Funder reports as outlined in Schedule "F"
- Conduct external project evaluation
- Continue outreach for cohort 2 Applicants (to June 2019)
- Conduct cohort 2 applicant screening and participant selection (July - Aug 2019)
- Deliver program to cohort 2 participants (Sept 2019 – Sept 2020)

Including:

- Job Search and Canadian Corporate Culture training (Sept – Nov 2019)
- Employer outreach and job development services (Sept 2019 – Sept 2020)
- Assigning individual Participants to a Designated PAIE Coordinator (Nov 2019)
- Individual Intake Assessments (Nov 2019)
- Individual job search & training plan development and progress monitoring (Nov 2019 – Sept 2020)
- Individual job search, employment and job retention coaching (Nov 2019 – Sept 2020)
- Mentoring services including needs assessment, mentor matching, monitoring of mentoring relationships and provision of support to mentors and mentees as needed (Dec 2019 – Aug 2020)
- Profession specific training and field excursions (Dec 2019 – July 2020)
- Speaking with Clarity (language/pronunciation) training as needed (Jan - Feb 2020)

April 1, 2020 - December 31, 2020

- Continue delivery of program to cohort 2 participants including:
  - Employer outreach and job development services (to Sept 2020 as needed)
  - Individual job search & training plan progress monitoring (to Sept 2020 as needed)
  - Individual job search, employment and job retention coaching (to Sept 2020 as needed)
  - Mentoring services including mentor matching, monitoring of mentoring relationships and provision of support to mentors and mentees as needed (to May 2019)
  - Profession specific training and field excursions (to July 2020)
  - End of program focus group and certificate of completion gathering (Oct 2020)
- Secure work experience opportunities for any remaining cohort 2 participants (to Sept 2020)
- Track performance measures
- Develop implementation plan for recommendations arising from external evaluation
- Implement activities to embed the project
- Complete and submit Funder reports as outlined in Schedule "F"



# SCHEDULE "D" BUDGET

	(April 1 2018-March 31 2019- Year 1)				(April 1 2019-March 31 2020 - Year 2)				(April 1 2020-December 31 2020 - Year 3)			
	MCI	Other Source*	In-Kind	Total Yr 1	MCI	Other Source*	In-Kind	Total Yr 2	MCI	Other Source*	In-Kind	Total Yr 3
MCI grant	\$657,023			\$657,023	\$664,462			\$664,462	\$527,510			\$527,510
Program application fees		\$2,400		\$2,400		\$2,400		\$2,400				\$0
Program participation fees		\$21,945		\$21,945		\$21,945		\$21,945				\$0
Revenue by Source (Total)	\$657,023	\$24,345		\$681,368	\$664,462	\$24,345		\$688,807				\$527,510
<b>Project Expenses</b>												
Salaries, Wages and Benefits												
Salaries Expenses												
- Project Supervisor (FT-60%)	\$54,730			\$54,730	\$55,825			\$55,825	\$42,708			\$42,708
- Coordinator II (FT - 100%)	\$68,118			\$68,118	\$69,480			\$69,480	\$53,153			\$53,153
- Coordinator II (FT - 100%)	\$68,118			\$68,118	\$69,480			\$69,480	\$53,153			\$53,153
- Coordinator II (FT - 100%)	\$68,118			\$68,118	\$69,480			\$69,480	\$53,153			\$53,153
- Coordinator II (FT - 100%)	\$68,118			\$68,118	\$69,480			\$69,480	\$53,153			\$53,153
- Coordinator I (FT - 100%)	\$62,784			\$62,784	\$64,040			\$64,040	\$48,992			\$48,992
- Coordinator I (FT - 100%)	\$62,784			\$62,784	\$64,040			\$64,040	\$48,992			\$48,992
- Senior Manager (10%)	\$12,460			\$12,460	\$12,710			\$12,710	\$9,729			\$9,729
Benefits Expenses												
- Project Supervisor (FT-60%)	\$15,300			\$15,300	\$15,300			\$15,300	\$11,475			\$11,475
- Coordinator II (FT - 100%)	\$20,600			\$20,600	\$20,600			\$20,600	\$15,450			\$15,450
- Coordinator II (FT - 100%)	\$20,600			\$20,600	\$20,600			\$20,600	\$15,450			\$15,450
- Coordinator II (FT - 100%)	\$20,600			\$20,600	\$20,600			\$20,600	\$15,450			\$15,450
- Coordinator II (FT - 100%)	\$20,600			\$20,600	\$20,600			\$20,600	\$15,450			\$15,450
- Coordinator I (FT - 100%)	\$19,400			\$19,400	\$19,400			\$19,400	\$14,550			\$14,550
- Coordinator I (FT - 100%)	\$19,400			\$19,400	\$19,400			\$19,400	\$14,550			\$14,550
- Senior Manager (10%)	\$3,140			\$3,140	\$3,140			\$3,140	\$2,355			\$2,355
Salaries, Wages and Benefits Total	\$604,870			\$604,870	\$614,175			\$614,175	\$467,763			\$467,763

Toronto Region Conservation Authority (TRCA) Agreement  
TRCA-PAIE Program: Connecting to the Green Economy  
Case Number: 2017-08-1-642994447

	MCI	Other Source*	In-Kind	Grand Total	Budget Notes
MCI grant				\$1,848,995	
Program application fees		\$4,800		\$4,800	80 applications x \$30/applicant
Program participation fees		\$43,890		\$43,890	55 participants x \$399/participant
Revenue by Source (Total)		\$48,690		\$1,897,685	
<b>Project Expenses</b>					
Salaries, Wages and Benefits					
Salaries Expenses					
- Project Supervisor (FT-60%)	\$153,263			\$153,263	FT (60%)21 hrs/week (cola 2% /year)
- Coordinator II (FT - 100%)	\$190,751			\$190,751	FT (100%)35 hrs/week (cola 2% /year)
- Coordinator II (FT - 100%)	\$190,751			\$190,751	FT (100%)35 hrs/week (cola 2% /year)
- Coordinator II (FT - 100%)	\$190,751			\$190,751	FT (100%)35 hrs/week (cola 2% /year)
- Coordinator II (FT - 100%)	\$190,751			\$190,751	FT (100%)35 hrs/week (cola 2% /year)
- Coordinator I (FT - 100%)	\$175,816			\$175,816	FT (100%)35 hrs/week (cola 2% /year)
- Coordinator I (FT - 100%)	\$175,816			\$175,816	FT (100%)35 hrs/week (cola 2% /year)
- Senior Manager (10%)	\$34,899			\$34,899	FT (10%)3.5 hrs/week (cola 2% /year)
Benefits Expenses					
- Project Supervisor (FT-60%)	\$42,075			\$42,075	FT (60%)21 hrs/week (MERCs calculated at approx 30%)
- Coordinator II (FT - 100%)	\$56,650			\$56,650	FT (100%) 35 hrs/week (MERCs calculated at approx 30%)
- Coordinator II (FT - 100%)	\$56,650			\$56,650	FT (100%) 35 hrs/week (MERCs calculated at approx 30%)
- Coordinator II (FT - 100%)	\$56,650			\$56,650	FT (100%) 35 hrs/week (MERCs calculated at approx 30%)
- Coordinator II (FT - 100%)	\$56,650			\$56,650	FT (100%) 35 hrs/week (MERCs calculated at approx 30%)
- Coordinator I (FT - 100%)	\$53,350			\$53,350	FT (100%) 35 hrs/week (MERCs calculated at approx 30%)
- Coordinator I (FT - 100%)	\$53,350			\$53,350	FT (100%) 35 hrs/week (MERCs calculated at approx 30%)
- Senior Manager (10%)	\$8,635			\$8,635	FT (10%) 3.5 hrs/week (MERCs calculated at approx 30%)
Salaries, Wages and Benefits Total	\$1,686,808			\$1,686,808	

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	(April 1 2018-March 31 2019- Year 1)				(April 1 2019-March 31 2020 - Year 2)				(April 1 2020- December 31 2020 - Year 3)			
	MCI	Other Source*	In-Kind	Total Yr 1	MCI	Other Source*	In-Kind	Total Yr 2	MCI	Other Source*	In-Kind	Total Yr 3
Project Expenses												
- Workshop Instructors (technical and software)		\$13,760		\$13,760		\$14,140		\$14,140	\$13,760			\$13,760
- Cohort Graduation / Stakeholder Recognition				\$0	\$1,000			\$1,000	\$1,000			\$1,000
- Third-Party Evaluation	\$10,000			\$10,000	\$9,000			\$9,000	\$7,000			\$7,000
- Bus rental (ed. field trips)		\$1,200		\$1,200		\$1,200		\$1,200	\$1,200			\$1,200
- Project equipment/computer	\$1,700			\$1,700				\$0				\$0
- Marketing, Communications & Subscriptions		\$2,000		\$2,000		\$2,000		\$2,000	\$2,000			\$2,000
- Event supplies	\$715	\$285		\$1,000	\$100			\$100	\$100			\$100
- Meals		\$2,000		\$2,000		\$2,000		\$2,000	\$1,500			\$1,500
- Travel		\$3,000		\$3,000	\$95	\$2,905		\$3,000	\$2,700			\$2,700
- Audit	\$3,562			\$3,562	\$3,562			\$3,562	\$3,562			\$3,562
Project Expenses Total	\$15,977	\$22,245		\$38,222	\$13,757	\$22,245		\$36,002	\$32,822			\$32,822
Eligible HST												
Subtotal (Sal./benefits & Project Expenses)	\$620,847	\$22,245		\$643,092	\$627,932	\$22,245		\$650,177	\$500,585	\$0		\$500,585
Central Administrative Expenses (no more than 15% of MCI funding)												
- Cell phone communications		\$2,100		\$2,100		\$2,100		\$2,100	\$1,575			\$1,575
- Courier / Postage	\$30			\$30	\$30			\$30	\$30			\$30
- Office supplies	\$200			\$200	\$200			\$200	\$200			\$200
- Staff Development	\$3,500			\$3,500	\$3,500			\$3,500	\$0			\$0
- Project Surtcharge (5%)	\$32,446			\$32,446	\$32,800			\$32,800	\$25,120			\$25,120
Central Administrative Expenses Total	\$36,176	\$2,100		\$38,276	\$36,530	\$2,100		\$38,630	\$26,925			\$26,925
Total expenses	\$657,023	\$24,345		\$681,368	\$664,462	\$24,345		\$688,807	\$527,510			\$527,510

Toronto Region Conservation Authority (TRCA) Agreement  
TRCA-PAIE Program: Connecting to the Green Economy  
Case Number: 2017-08-1-642994447



	In-Kind	Grand Total	Budget Notes
Project Expenses			
- Workshop Instructors (technical and software)		\$41,660	Introduction to Geology of SO - 1 session X \$300/session = \$300 Environmental Site Assessments in Ontario - 2 sessions X \$300/session = \$600; Energy Efficiency Requirements in TGS & OBC - 2 sessions X \$200/session = \$400; Intro to Asset Management - 1 session X \$200/session = \$200; Planning from a Private Perspective - 1 session X \$200/session = \$200; Business Writing Excellence - 2 sessions/cohort X \$1220/session = \$2440; MCB: Diversity in the Workplace - 1 session X \$1530/session = \$1530; Speaking with Clarity training - 8 session workshop X \$2240 = \$2240; Introduction to PM - one 4-session training X \$1680 = \$1680; ISO 14001 EMS - 2 sessions X \$510/session = \$1020 E-learning modules - 3 X \$200/module = \$600; (1. Intro to UD; 2. Solar Photovoltaic System: Operation & Maintenance; 3. Solar Photovoltaic Systems Commissioning); Educational Field Trips (facilitator) - 2 X \$200/hour = \$400; (1. Tour at Sustainable Technologies Centre - Kortright Centre); MS Excel for Professionals - 2 sessions X \$300/session = \$600; Intro to HEC-RAS software/applications - 3 sessions X \$200/session = \$600; AutoCAD software basic - 3 sessions X \$200/session + \$680 lab = \$1280; AutoCAD software inter/advanced - 3 sessions X \$200/session + \$680 lab = \$1280; Arc GIS software basic - 3 sessions / \$680 lab = \$680; Arc GIS software inter/advanced - 3 sessions / \$680 lab = \$680; MS Project software 1 - 3 sessions X \$200/session + \$680 lab = \$1280; MS Project software 2 - 3 sessions X \$200/session + \$680 lab = \$1280; VS OTTHMNO software training - 2 sessions X \$1020 + \$520 lab = \$1540; Total \$20,830 x 2 cohorts = \$41660
- Cohort Graduation / Stakeholder Recognition		\$2,000	\$1000/cohort X 2 cohorts = \$2000
- Third-Party Evaluation		\$26,000	\$13,000/cohort X 2 cohorts
- Bus rental (ed. field trips)		\$3,600	\$600/bus X 3 field trips/cohort X 2 cohorts = \$3600
- Project equipment/computer		\$1,700	One new computer and dock station
- Marketing, Communications & Subscriptions		\$6,000	Survey monkey, schedule-once app, outreach, promo items
- Event supplies		\$1,200	\$1000 for PPE (for field trips & volunteering events) and \$200 for event supplies
- Meals		\$5,500	Referrals (workshops, mtg with employers/mentors, networking events); approx. \$5 events/cohort X 2 cohorts X \$50/event = \$500
- Travel		\$8,700	Staff travel at \$0.40/km (approx 3 mtgs/week X 45 km/trip) Meeting with employers, mentors, client; attending workshops and events, parking 3 audits (3 fiscal years) x \$3562/audit = \$10686
- Audit		\$10,686	
Project Expenses Total		\$107,046	
Eligible HST			HST Rebate: TRCA has a company-wide process for tracking expenditures consistent with accounting processes and principles. Only the net amount after the HST rebate is expensed. 11.24% of the 13% HST is refundable and program costs are recorded consistent with this and accounting practices.
Subtotal (Sal./benefits & Project Expenses)		\$1,793,854	
<b>Central Administrative Expenses</b>			
(no more than 15% of MCI funding)			
- Cell phone communications		\$5,775	7 cell phones X \$25/month X 33 months = \$5775
- Courier / Postage		\$90	\$5/parcel X 6 /fiscal year X 3 fiscal years = \$90
- Office supplies		\$600	\$200/fiscal year X 3 years
- Staff Development		\$7,000	7 X \$500/employee/cohort X 2 cohorts = \$7000
- Project Surcharge (5%)		\$90,366	TRCA administrative surcharge (5%)
Central Administrative Expenses Total		\$103,831	
Total expenses		\$1,897,685	
Total requested MCI funding		\$1,848,995	
Administration as % of MCI Total		5.39%	Total Administrative funding requested from MCI divided by total funding requested from MCI

Toronto Region Conservation Authority (TRCA) Agreement  
TRCA-PAIE Program: Connecting to the Green Economy  
Case Number: 2017-08-1-642994447

IN-KIND BUDGET	MCI	Other Source*	In-Kind	Total Yr 1	MCI	Other Source*	In-Kind	Total Yr 2	MCI	Other Source*	In-Kind	Total Yr 3
Director			\$6,240	\$6,240			\$6,240	\$6,240			\$4,680	\$4,680
Advisory members			\$3,960	\$3,960			\$3,960	\$3,960			\$3,960	\$3,960
TRCA Technical Managers/Directors: Participants Support			\$3,600	\$3,600			\$3,600	\$3,600			\$2,700	\$2,700
Workshop instructors in kind			\$24,000	\$24,000			\$24,000	\$24,000			\$24,000	\$24,000
Access to TRCA Employee Assistance Program			\$5,505	\$5,505			\$5,505	\$5,505				\$0
Access to TRCA Safety 24/7 training			\$825	\$825			\$825	\$825				\$0
TRCA Marketing and Communications staff support:			\$11,600	\$11,600			\$11,600	\$11,600			\$8,600	\$8,600
Access to TRCA's LMS			\$6,000	\$6,000			\$6,000	\$6,000				\$0
Facility rental North York Civic Centre			\$8,000	\$8,000			\$8,000	\$8,000			\$8,000	\$8,000
Use of TRCA office supplies and materials			\$100	\$100			\$100	\$200			\$100	\$100
Mentor support			\$52,800	\$52,800			\$52,800	\$52,800			\$52,800	\$52,800
Work Placement honourarium			\$1,100,000	\$1,100,000			\$1,100,000	\$1,100,000			\$1,100,000	\$1,100,000
TRCA Parks Membership			\$7,425	\$7,425			\$7,425	\$7,425				\$0
Black creek parking			\$4,400	\$4,400			\$4,400	\$4,400			\$4,400	\$4,400
Access to Living City campus online modules			\$22,000	\$22,000			\$22,000	\$22,000				\$0
Software for tech workshop OTTYMO				\$0			\$25,600	\$25,600			\$25,600	\$25,600
<b>Total IN-KIND</b>			\$1,256,455	\$1,256,455			\$1,282,155	\$1,282,155			\$1,234,840	\$1,234,840
<b>Total Budget:</b>	\$0	\$0	\$1,260,855	\$1,260,855	\$0	\$0	\$1,286,555	\$1,286,555	\$0	\$0	\$1,239,240	\$1,239,240
<b>MCI grant, Other Sources &amp; In-Kind</b>												

Toronto Region Conservation Authority (TRCA) Agreement  
TRCA-PAIE Program: Connecting to the Green Economy  
Case Number: 2017-08-1-642994447

IN-KIND BUDGET	MO	Other Source*	In-Kind	Grand Total	Budget Notes
Director			\$17,160	\$17,160	Director: 2 hrs/wk X 143 wks X \$60/hr (one on one intervention for participants, staff support and program outreach)
Advisory members			\$11,880	\$11,880	Advisory members: (3 years X 3 mths X 22 members X \$60)
TRCA Technical Managers/Directors: Participants Support			\$9,900	\$9,900	TRCA Technical Managers/Directors: Resume critique, participant coaching, information interviews, technical support and advice, host outreach to TRCA network and marketing of program (1.5 hrs/participant X 110 participants X \$60)
Workshop instructors in kind			\$72,000	\$72,000	Workshop instructors in kind Prep curriculum and materials (24 topics X 1500 X 2 cohorts Delivery (24 topics X 1500 X 2)
Access to TRCA Employee Assistance Program			\$11,010	\$11,010	Access to TRCA Employee Assistance Program (\$1,400/wk/participant X 110 participants X 71.5 wks/cohort)
Access to TRCA Safety 24/7 training			\$1,650	\$1,650	Access to TRCA Safety 24/7 training (110 participants X \$15/participant)
TRCA Marketing and Communications staff support:			\$31,800	\$31,800	Electronic invitations, plaques and certificates, program slideshow, learning modules, digital asset mgmt (DAM) and customer relations mgt (CRM) systems software training, banners, media relations and event releases, reporting. (636 hrs X \$50)
Access to TRCA's LMS			\$12,000	\$12,000	Access to TRCA Learning Management System \$6,000/cohort
Facility rental North York Civic Centre			\$24,000	\$24,000	Facility rental (held at North York Civic Centre) 48 events @ \$500 per event = \$24,000
Use of TRCA office supplies and materials			\$400	\$400	Use of TRCA office supplies and materials \$200/cohort
Mentor support			\$158,400	\$158,400	Mentor support: 24 hrs X \$60 x 110 participants = 158,400
Work Placement honourarium			\$3,300,000	\$3,300,000	Work Placement honourarium \$2500/mth x 12 mths x 110 participants
TRCA Parks Membership			\$14,850	\$14,850	TRCA Parks Membership (Parks Pass) \$135 X 110 participants
Black creek parking			\$13,200	\$13,200	BCPV - parking during training and interviews (6 events X 2 cohorts; 110 participants X \$10)
Access to Living City campus online modules			\$44,000	\$44,000	Access to Living City campus online modules 110 participants X \$400
Software for tech workshop OTTHMO			\$51,200	\$51,200	Software for tech workshop OTTHMO \$1,600 X 2 X 16 participants
<b>Total IN-KIND</b>			<b>\$3,773,450</b>	<b>\$3,773,450</b>	
<b>Total Budget:</b>			<b>\$3,786,650</b>	<b>\$3,786,650</b>	
<b>MO grant, Other Sources &amp; In-Kind</b>	\$0	\$0			

Toronto Region Conservation Authority (TRCA) Agreement  
TRCA-PAIE Program: Connecting to the Green Economy  
Case Number: 2017-08-1-642994447

**SCHEDULE "E"**  
**PAYMENT PLAN**

<b>Deliverable</b>	<b>Due Date</b>	<b>Amount</b>	<b>Fiscal Year</b>
<ul style="list-style-type: none"> <li>• Signed Agreement</li> <li>• Certificate of Insurance to March 31, 2019</li> <li>• Project work plan</li> </ul>	April 15, 2018	\$416,995	2018-19
2018-19 Q2 Numeric Indicator Report	October 8, 2018	\$200,000	2018-19
2019-20 Q1 Numeric Indicator Report	July 8, 2019	\$416,000	2019-20
2019-20 Q3 Numeric Indicator Report	January 9, 2020	\$200,000	2019-20
2020-21 Q1 Numeric Indicator Report	July 8, 2020	\$516,000	2020-21
2020-21 Q3 Numeric Indicator Report	January 11, 2021	\$100,000	2020-21

## SCHEDULE "F" REPORTS

Name of Report	Due
Progress Report/Final Report	February 13, 2019 February 12, 2020 February 17, 2021
Numeric Indicator Report	Quarterly (within five business days of the beginning of each quarter) Q1: Due five days from July 1 Q2: Due five days from October 1 Q3: Due five days from January 1 Q4: Due five days from April 1
Participant Profile Report	Annually, within five business days of the beginning of the fiscal year (April 1)
Project/Participant Success Stories Report	Annually, within five business days of the beginning of the fiscal year (April 1)
Project-specific audited financial statements for the previous reporting period	Annually by June 30
Statement of Revenue and Expenditure and Cash Flow Statement	Annually by November 1
Insurance Certificate	Annually
External Project Evaluation	March 15, 2021

### **Report Details**

#### **Annual Report/Final Report**

Report outlining progress on all elements of the project according to the project work plan, and update on achievement of project objectives, including:

- Updated work plan for the coming fiscal year (if applicable)
- Updated budget for the coming fiscal year (if applicable)
- Monthly cash flow projection for the coming year
- Budget-to-Actual variance report for the current fiscal year (if applicable)

#### **Numeric Indicator Report**

Completion of numeric performance indicator template, to be provided by the Province, consisting of:

- Numeric Performance Indicator tab that outlines number of participants who apply to the program, are referred to other services, access the program, complete the program, achieve licensure in a regulated occupation/mandatory trade, obtain commensurate employment in their field, obtain employment in a related field, obtain other employment.

- Detailed Employment Outcomes tab that provides specific detail on commensurate employment and related employment, including position title, employer, salary range, and salary range at entry to the program.

#### **Participant Profile Report**

Completion of Participant Profile tab of numeric performance indicator template, including information such as aggregate age, gender, length of time in Canada, level of education, et cetera, information of project participants.

#### **Project/Participant Success Stories Report**

Completion of a Project and/or Participant Success Stories template, to be provided by the Province, highlighting individual or broader project successes.

#### **Project-Specific Audited Statements**

Submission of project-specific audited financial statements for the previous fiscal year, including Statement of Revenue and Expenditure and Budget-to-Actual variance report, as per requirements outlined in Audit Guidelines, to be provided by the Province, updated and disseminated annually.

#### **Statement of Revenue and Expenditure and Cash Flow Statement**

Submission of a Statement of Revenue and Expenditure Report for the period April 1-September 30, along with an updated cash flow statement for the remainder of the year (October-March), including the identification of any un-spent funds to date (or projection of unspent funds by March 31).

#### **Insurance Certificate**

Annual submission of a project-specific insurance certificate for the coming year.

#### **External Project Evaluation**

An evaluation report on all elements of the Project, conducted by an independent third-party evaluator.

## **SCHEDULE "G"**

### **ACKNOWLEDGEMENT**

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For the purposes of this Agreement, Recipients must use the following logo and wording to acknowledge funding, in both English and French:

English:

*Funded by:*



French:

*Financé par :*



**THIS AMENDING AGREEMENT, effective as of March 1, 2019**

**B E T W E E N :**    **Her Majesty the Queen in right of Ontario**  
as represented by the Minister of Training, Colleges and Universities  
(formerly represented by the Minister of Citizenship and Immigration)  
  
(the "**Province**")  
- and -  
  
**Toronto and Region Conservation Authority**  
  
(the "**Recipient**")

The Province and the Recipient entered into an agreement, effective as of April 1, 2018, and any other Amending Agreements signed to date, for the Recipient to carry out the project under the **Ontario Bridge Training** program ("the **Agreement**").

The Province and the Recipient agree to amend the Agreement as follows:

1. Schedule "D" of the Agreement is deleted and replaced with the attached Schedule "D".

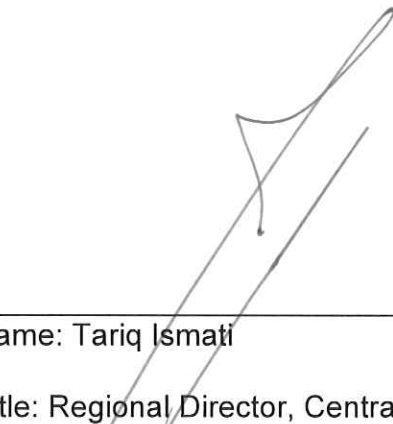
All other terms and conditions of the Agreement remain unchanged and in full force and effect.

Each party acknowledges that it has read this Amending Agreement, understands it and agrees to it. Each party states that it has the full power and authority to enter into and perform the Amending Agreement and the person signing on behalf of each party is properly authorized and empowered to sign and bind the party.

The Province and the Recipient have executed this Amending Agreement on the dates set out below.



HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, as represented by the Minister of Training, Colleges and Universities.



\_\_\_\_\_  
Name: Tariq Ismati  
Title: Regional Director, Central Region

\_\_\_\_\_  
MAR 13 2019  
Date

**Authorized Signing Officer**  
**Toronto and Region Conservation Authority**



\_\_\_\_\_  
Name: Michael Tolensky  
Title: Chief Financial and Operating Officer

\_\_\_\_\_  
March 8, 2019  
Date

I/We have authority to bind the Recipient.

**SCHEDULE "D"**  
**BUDGET**

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<b>Maximum Funds For 2017-2018</b>	<b>Maximum Funds For 2018-2019</b>	<b>Maximum Funds For 2019-2020</b>	<b>Maximum Funds For 2020-2021</b>	<b>Total Maximum Funds</b>
	\$605,141	\$716,344	\$527,510	\$1,848,995

Ministry of Training, Colleges and  
Universities

Employment and Training Division

Ministère de la Formation et des  
Collèges et Universités

Division de l'emploi et de la formation



**MEMORANDUM TO:** Toronto and Region Conservation Authority  
Office De Protection De La Nature De Toronto

**FROM:** Ministry of Training, Colleges and Universities

**DATE:** March 18, 2019

**SUBJECT:** Agreement Case # 2017-08-1-642994447

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The Ministry has conducted a review and analysis of expenditures for your Ontario Bridge Training transfer payment agreement. The purpose of this review is to minimize the amount of unspent funds at year-end and reduce the amount of recoverable funds when your agreement is reconciled.

The following summarizes the financial position of your transfer payment agreement as of March 18, 2019 for fiscal year 2017-2019:

(A) Current Contract Maximum Funds (2017-2019)	<b>\$605,141</b>
(B) Outstanding Payment	<b>-\$11,854</b>
(C) YTD Funds Flown	\$616,995
(D) Estimate of Year-End Expenditures	\$605,141
(E) Variance of Funding not required (A) - (D)	\$0
(F) Future Payment (C) - (D)	<b>-\$11,854</b>

Based on this information, your next payment(s) for this fiscal year will be adjusted to -\$11,854. The Ministry requires you to return the unspent amount of \$11,854. Your next planned payment for 2019-20 fiscal year will be reduced by the unspent amount.

Sincerely,

MTCU

**DRAFT #2**  
**June 6, 2019**

Statement of Revenue and Expenses of

**TORONTO AND REGION  
CONSERVATION AUTHORITY**  
PROFESSIONAL ACCESS INTO EMPLOYMENT PROGRAM

And Independent Auditors' Report thereon

Period from April 1, 2018 to March 31, 2019

## INDEPENDENT AUDITORS' REPORT

To the Ministry of Training, Colleges and Universities

### ***Opinion***

We have audited the statement of revenue and expenses for the Professional Access into Employment Program of Toronto and Region Conservation Authority (the Entity), and notes, comprising a summary of significant account policies and other explanatory information (Hereinafter referred to as the "Statement").

In our opinion, the accompanying Statement for the period from April 1, 2018 to March 31, 2019 of the Entity is prepared, in all material respects, in accordance with the financial reporting provisions in the Audit and Accountability Requirements for Ontario Bridge Training Projects 2018-2019, issued by the Ministry of Training, Colleges and Universities.

### ***Basis for Opinion***

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditors' Responsibilities for the Audit of the Statement***" section of our auditors' report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### ***Emphasis of Matter - Financial Reporting Framework***

We draw attention to Note 2 in the Statement, which describes the applicable financial reporting framework and the purpose of the Statement.

As a result, the Statement may not be suitable for another purpose.

Our opinion is not modified in respect of this matter.

***Other Matter - Restriction on Use***

Our report is intended solely for Toronto and Region Conservation Authority and the Ministry of Training, Colleges and Universities and should not be used by other parties.

***Responsibilities of Management and Those Charged with Governance for the Statement***

Management is responsible for the preparation of the Statement in accordance with the financial reporting provisions in the Audit and Accountability Requirements for Ontario Bridge Training Projects 2018-2019, issued by the Ministry of Training, Colleges and Universities, including determining that the basis of accounting is an acceptable basis for the preparation of the Statement in the circumstances, and for such internal control as management determines is necessary to enable the preparation of the Statement that is free from material misstatement, whether due to fraud or error.

In preparing the Statement, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

***Auditors' Responsibilities for the Audit of the Statement***

Our objectives are to obtain reasonable assurance about whether the Statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the Statement.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the Statement, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the Statement or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

***DRAFT***

Chartered Professional Accountants, Licensed Public Accountants

Vaughan, Canada

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# TORONTO AND REGION CONSERVATION AUTHORITY

## PROFESSIONAL ACCESS INTO EMPLOYMENT PROGRAM

### **DRAFT** Statement of Revenue and Expenses

Period from April 1, 2018 to March 31, 2019

Revenue:	
Ministry of Training, Colleges and Universities	\$ 575,288
Program and application fees	21,932
Interest earned	2,519
	<hr/> 599,739
Expenses:	
Program costs:	
Salaries and benefits	531,568
Technology, software and soft skills training/workshops	13,061
Third-party evaluation	9,972
	<hr/> 554,601
Administrative costs:	
Administration fee	28,564
Marketing	5,324
Audit	3,562
Supplies and equipment	2,853
Travel, meetings and consultations	2,762
Communications	1,889
Facility rentals	184
	<hr/> 45,138
	<hr/> 599,739
Excess of revenue over expenses	<hr/> \$ —

See accompanying notes to statement of revenue and expenses.



# **TORONTO AND REGION CONSERVATION AUTHORITY**

## **PROFESSIONAL ACCESS INTO EMPLOYMENT PROGRAM**

### ***DRAFT*** Notes to Statement of Revenue and Expenses

Period from April 1, 2018 to March 31, 2019

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#### **1. Nature of operations:**

The statement of revenue and expenses (the "Statement") pertains to the Professional Access Into Employment Program ("PAIE" or the "Program") administered under the Funding Agreement issued by the Ministry of Training, Colleges and Universities and Toronto and Region Conservation Authority ("TRCA"). Accordingly, this Statement does not include all the assets, liabilities, revenue and expenses of TRCA.

TRCA is administering the Program on behalf of the Ministry of Training, Colleges and Universities.

#### **2. Significant accounting policies and basis of presentation:**

The Statement reflects the operations of PAIE, a program of TRCA, and has been prepared by management based on the Audit and Accountability Guidelines for Ontario Bridge Training Projects 2018-2019 from the Ministry of Training, Colleges and Universities. Costs eligible for reimbursement by the Ministry of Training, Colleges and Universities under the Funding Agreement effective April 1, 2018 are eligible costs that are incurred on or after April 1, 2018 and by March 31, 2019.

Significant accounting policies with respect to the Statement are as follows:

##### **(a) Revenue recognition:**

Government transfers received are recognized in the Statement as revenue when the transfers are authorized and all eligibility criteria have been met, except when there is a stipulation that gives rise to an obligation that meets the definition of a liability. In that case, the transfer is recorded as deferred revenue and recognized as revenue as the stipulations are met.

Revenue from program and application fees are recognized as revenue in the period in which the related services are performed. Amounts collected for which the related services have not been performed are recognized as deferred revenue and recognized as revenue when the related services are performed.

**TORONTO AND REGION CONSERVATION AUTHORITY**  
PROFESSIONAL ACCESS INTO EMPLOYMENT PROGRAM

***DRAFT*** Notes to Statement of Revenue and Expenses (continued)

Period from April 1, 2018 to March 31, 2019

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**2. Significant accounting policies and basis of presentation (continued):**

**(b) Expense recognition:**

Expenses recognized in the Statement are recorded in the period incurred on the accrual basis of accounting. The accrual basis of accounting recognizes the effect of transactions and events in the period in which the transactions and events occur, regardless of whether there has been a payment of cash or its equivalent. Accrual accounting recognizes a liability until the obligation or condition(s) underlying the liability is partly or wholly satisfied.

### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Sameer Dhalla, Director, Development and Engineering Services  
Barbara Montgomery, Legal Counsel, Risk Management

**RE:** **LOCAL PLANNING APPEAL TRIBUNAL**  
Request for Authorization to Appear, June 2019

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#### KEY ISSUE

Authorization for staff to appear before the Local Planning Appeal Tribunal (LPAT) and Toronto Local Appeal Body (TLAB) and, if necessary, retain external legal counsel on recent LPAT and TLAB appeals within the Toronto and Region Conservation Authority jurisdiction.

#### RECOMMENDATION

**THAT authorization be given to Toronto and Region Conservation Authority staff to obtain Party or Participant status at the LPAT or TLAB and, if needed, retain external legal counsel to protect TRCA's mandate and other provincial and municipal interests related to TRCA's technical expertise regarding the appeals described in Attachment 1;**

**THAT TRCA staff continue to work cooperatively with TRCA's municipal partners, the appellants, and other parties to ensure TRCA's interests are protected as part of the LPAT or TLAB process;**

**AND FURTHER THAT the LPAT or TLAB and all parties to the hearings be so advised.**

#### BACKGROUND

Policy 7.5.2 (p) of The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) states that “TRCA staff obtain authorization from TRCA’s Authority/Executive Committee to appear before tribunals on planning and development matters”. Staff is seeking authorization to appear before the Local Planning Appeal Tribunal (LPAT) or the Toronto Local Appeal Body (TLAB), and if needed, retain legal counsel on appeals within the TRCA jurisdiction. There are eight (8) new or recently activated LPAT appeals and one (1) new TLAB appeal, including one (1) in Durham Region, two (2) in the Region of Peel, five (5) in the City of Toronto, and two (2) in York Region discussed in this report. There is one additional appeal in Peel which will be the subject of a separate future report for Board of Directors action.

The Ontario Municipal Board (OMB) has been replaced with the LPAT through the enactment of Bill 139 (Building Better Communities and Conserving Watersheds Act). OMB reform resulted in an increase in the number of OMB appeals prior to the enactment of Bill 139, in part to grandfather the appeals under previous appeal procedures and hearing rules. Other appeals are advancing under the new LPAT process, but procedures applying to the LPAT are being revised under the recent Bill 108 (More Homes, More Choice Act). This is expected to result in an increased number of appeals over that of the existing LPAT process. In addition, in 2017 the City of Toronto Council passed Toronto Municipal Code Chapter 142 and created the TLAB. The TLAB is an independent quasi-judicial tribunal that hears appeals of Committee of Adjustment decisions for minor zoning variances and land severances (consents).

## Item 8.7.

TRCA staff is seeking either “Party” or “Participant” status in these appeals at LPAT or TLAB, as TRCA has an interest from a policy and regulatory perspective. In many cases, TRCA is assisting municipal partners by providing technical review advice through existing Memorandums of Understanding (MOU’s) with partner municipalities.

“Party” status refers to a person or organization that requests full involvement in the hearing and is recognized by the Tribunal. Parties take part in the hearing by exchanging documents, presenting evidence, questioning witnesses and making submissions to the Tribunal. Procedures and the level of effort varies whether the appeal is under the former OMB, new LPAT or TLAB rules. Parties may also request costs, adjournments or a review of the decision.

“Participant” status refers to a person or organization that participates by making a statement to the Tribunal on some or all of the issues at a hearing. A Participant may attend all or only part of the proceedings. Participants are not required to make submissions to a municipal Council before becoming involved in an LPAT or TLAB matter. When making a statement to the Tribunal, Participants must swear to tell the truth. They may be questioned by the Tribunal and other parties. Participants generally do not question witnesses and cannot ask for costs, adjournments or request a review of the decision.

In most cases, TRCA Development and Engineering Services (DES) and in-house legal counsel represent the interests of TRCA during the LPAT or TLAB process. However, in certain circumstances, TRCA retains external legal counsel to ensure TRCA’s interests are protected and addressed during the course of the LPAT or TLAB proceedings. In these cases, DES staff first engage TRCA’s in-house legal counsel. However, for complex and time-consuming cases, TRCA may retain external legal counsel from the four law firms that TRCA has retainer agreements with. In all cases, TRCA staff and legal counsel will continue to work with Parties and Participants to the hearing to resolve TRCA’s issues, scope TRCA’s involvement and to reduce external legal fees to the greatest extent possible. In most cases, settlements are reached with little or no additional cost beyond staff time.

Certain appeals require significant resources to represent the interests of TRCA at LPAT. A key reason for this extensive expenditure of effort is an increase in the number of appeals and hearings and the length of time spent to complete these hearings. Hearings also require the involvement of several staff from multiple technical disciplines (i.e., planning, ecology, engineering, geotechnical engineering, hydrogeology, etc.) to represent the interests of TRCA. Appeals continue to be more technically complex as applications move into more sensitive landscapes. When development is proposed within sensitive landscapes our response often requires a multi-disciplinary and inter-departmental representation at LPAT or TLAB hearings. Appeals with environmental and/or natural hazard issues can divert TRCA review efforts away from the standard review stream due to Tribunal imposed timelines, which are often short. Appeals at LPAT or TLAB involve many of the same team members at TRCA involved in the technical review of applications, infrastructure studies and permit reviews. Also, through existing Memorandum of Understandings (MOUs) with municipalities, TRCA is expected to provide technical and scientific expertise in support of the environmental planning function of municipalities in LPAT or TLAB processes. TRCA also represents the Provincial interest on the natural hazard policies of the Provincial Policy Statement (PPS) as part of larger government review agency teams. As a result, staff are expected to appear before the Tribunal to fulfill these roles and responsibilities for our municipal and government review agency partners. This situation of competing demands and workloads is currently being examined as part of a streamlining review of the TRCA Development Planning and Permits process.

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### **RATIONALE**

Attachment 1 includes a summary of each appeal organized by municipality. Staff is requesting authorization to appear before the Tribunal for these appeals and will continue to bring forward future requests as per the direction within TRCA's LCP. In some cases, due to timing, staff will request retroactive authorization for appeals in which TRCA has obtained Party or Participant status. Staff will also take all effort to resolve TRCA's interests in the appeals, while supporting municipal partners.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 2 – Manage our regional water resources for current and future generations**

**Strategy 4 – Create complete communities that integrate nature and the built environment**

**Strategy 12 – Facilitate a region-wide approach to sustainability**

### **FINANCIAL DETAILS**

Account Code 110-99 has been established to provide for TRCA's legal services fees related to Development Planning and Permit matters. This account is funded by a small percentage of development application fees.

### **DETAILS OF WORK TO BE DONE**

Staff and internal legal counsel will continue to represent the interests of TRCA during any pre-hearing, negotiation and mediation processes. Staff will retain external legal counsel as required to ensure TRCA's interests are protected and addressed. TRCA staff and retained legal counsel will continue to work with Appellants and Parties to resolve TRCA's issues in advance of a hearing.

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**Date: June 4, 2019**

**Attachments: 1**

Attachment 1: Chart of Appeals

Municipality	Region	Watershed	LPAT/TLAB #	CFN	Staff Contact	Proponent and Appellant	Description	Status
Pickering	Durham	Duffins	PL180300	58755	Vanessa Aubrey	CPC II Management Inc.	Draft Plan of Subdivision and Zoning By-law Amendment at 1520 Notion Road for nine new single detached residential lots. The proposed development is located with a floodplain and the Notion Road/Pickering Village Special Policy Area. The application was appealed by the proponent for lack of decision by the Municipality.	TRCA was granted Party status at the December 10, 2018 pre-hearing. The next pre-hearing is scheduled for September 3, 2019. A City-led Environmental Assessment for the widening and extension of Notion Road over Highway 401 affects the property. TRCA staff are monitoring the City-Landowner discussions and will work with the parties to address the floodplain issues.
Brampton	Peel	Humber	PL180276	50644	Adam Miller	Block 47-1 Landowner Group	Official Plan Amendment for Block 47-1 & 47-2 Block Plans located within the Area 47 Secondary Plan. The site includes multiple natural hazards and natural heritage features. The application was appealed by the proponent for lack of decision by the Municipality.	TRCA was granted Party status at the January 29, 2019 pre-hearing. The next pre-hearing is scheduled for June 6, 2019. TRCA have no significant issues with the proposed Block Plans. However, staff are monitoring negotiations between the City and the proponent to preserve our interests as these parties work to resolve their issues.
Toronto (All)	Toronto	Various	PL140860	49185	Steve Heuchert	City of Toronto, MMAH, Multiple Landowners	City of Toronto Official Plan Amendment 231, Employment Lands Policies. The appeals were filed in response to the City's adoption of Employment Lands policies and land use designations in the OP, some of which are within TRCA's area of interest.	TRCA was granted Participant status for Phase III of the hearing. It is unclear whether TRCA will have any natural hazard or natural heritage related issues with certain site-specific appeals. A pre-hearing has not been scheduled for Phase III. TRCA staff are monitoring and will request Party status if any issues arise.
Toronto (North York)	Toronto	Don	19 119013 S45 15 TLAB	57994 & 60814.06	Nicole Moxley	Private Homeowner	Minor Variance at 14 Brookfield Road to permit a replacement dwelling within the floodplain and erosion hazard. The property is located within the Hoggs Hollow Special Policy Area (SPA). The Committee of Adjustment denied the variances and the applicant appealed to the Toronto Local Appeal Body (TLAB).	TRCA staff can support the current proposal which does not increase the total floor area in the natural hazard; however, any solution stemming from mediation that would result in an increase in residential floor area within the erosion hazard would be inconsistent with TRCA's policies and permitting authority under O. Reg. 166/06. The TLAB Hearing is scheduled for July 8, 2019. TRCA was granted Participant status and is monitoring the mediation to ensure our interests do not conflict with any proposed settlement or revised proposal.
Toronto (North York)	Toronto	Highland	PL171104	55313.03	Mark Rapus	Arsandco Investments Ltd.	Zoning By-law Amendment at 2525-2545 Lawrence Avenue East, 1380 Midland Avenue, and 1-51, 201-211 & 300 Prudential Drive to facilitate a mixed use development on three vacant blocks of land that are located within the floodplain of Highland Creek. The application was appealed by the proponent for lack of decision by the Municipality.	A pre-hearing is scheduled for November 29, 2019. Staff continue to work with the City and the applicant to resolve a development limit relative to a floodplain on the property. Staff recently reviewed the third submission and provided comments to the City. The proponent is trying to address all of the comments through the standard planning review process.
Toronto (Toronto and East York)	Toronto	Waterfront	PL030412 & PL030514	34687	Steve Heuchert	City of Toronto, Multiple Landowners	Central Waterfront Secondary Plan, Port Lands portion. The appeal was filed in response to the City's adoption of the Official Plan Amendment for the Central Waterfront, as well as the for lack of decision by the Municipality on various site specific applications in the area.	TRCA was granted Participant status at the November 15, 2018 pre-hearing for the Port Lands portion of the hearing. The City and appellants are building an Issues List. TRCA does not have a direct interest in any of the draft issues. A pre-hearing was held on June 4, 2019 and the parties will continue to work on their issues and prepare a procedural order for the next pre-hearing scheduled for December 8, 2019. TRCA staff continue to monitor.

Municipality	Region	Watershed	LPAT/TLAB #	CFN	Staff Contact	Proponent and Appellant	Description	Status
Toronto (Toronto and East York)	Toronto	Waterfront	PL141264	57381.01	Steve Heuchert	2034055 Ontario Limited and 1337194 Ontario Inc.	Zoning By-law Amendments for 309 Cherry Street in the Port Lands for multiple high rise mixed use buildings. The applications have been held in abeyance in order that the City and Waterfront Toronto could complete the Port Lands Framework Plan and the Villiers Island Precinct Plan. The property is currently in the floodplain but will be removed from the floodplain upon implementation of the Port Lands Flood Protection and Enabling Infrastructure Project. The application was appealed by the proponent for lack of decision by the Municipality.	TRCA was granted Party status at the June 15, 2018 pre-hearing. TRCA staff are monitoring the City-Waterfront Toronto-Landowner discussions and may be in a position to provide comments upon submission of a revised proposal.
Vaughan	York	Humber	PL180341	46925.01	Colleen Bonner	Midvale Estates Limited	Official Plan Amendment and Zoning By-law Amendment at 2938 Highway 7 to facilitate the development of a 40 storey residential tower with a 4 storey mixed use podium and 5 levels of underground parking. The site is located adjacent to Black Creek / Edgeley Pond. The application was appealed by the proponent for lack of decision by the Municipality.	TRCA was granted Party status at the May 21, 2019 pre-hearing where this appeal was consolidated with that of 2117969 Ontario Limited (below). TRCA's main concern is the flood plain located on the western and northern portion of the lands. A second pre-hearing is scheduled for September 6, 2019.
Vaughan	York	Humber	PL180343	46925.01	Colleen Bonner	2117969 Ontario Limited	Official Plan Amendment and Zoning By-law Amendment at 2986 and 2966 Highway 7 to facilitate the development of a 40 storey residential tower with a 4 storey mixed use podium and 5 levels of underground parking. The site is located adjacent to Black Creek / Edgeley Pond. The application was appealed by the proponent for lack of decision by the Municipality.	A pre-hearing scheduled for May 22, 2019 was cancelled and the appeal consolidated with that of Midvale Estates Limited (above). TRCA's main concern is the flood plain located on the western and northern portion of the lands. A second pre-hearing is scheduled for September 6, 2019.

### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Michael Tolensky, Chief Financial and Operating Officer

**RE:** **TRCA INVESTMENT MANAGEMENT STRATEGY**  
Proposed updates to align with those available to TRCA's partner municipalities

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#### KEY ISSUE

Toronto and Region Conservation Authority (TRCA) voluntarily adheres to the investing regulations in the Municipal Act (the Act) in order to align its investing activities with those available to its partner municipalities. As the Act has been updated and TRCA's partner municipalities are no longer limited to a prescribed restricted list of eligible investments, TRCA is proposing to modernize its investment strategy to balance achieving greater potential returns with managing acceptable risk.

#### RECOMMENDATION

**THAT staff be authorized to negotiate an agreement with RBC Dominion Securities, TRCA's existing investment broker, to provide a comprehensive investment management solution.**

**THAT staff be authorized to sell investment holdings with its current RBC Dominion Securities brokerage and One Investment Program accounts and hold in cash deposit accounts where deemed advantageous for TRCA.**

**AND FURTHER THAT prior to any new investments of funds, TRCA staff report back to the Executive Committee with an updated investment policy for approval, that reflects a practical approach to manage risk and improve financial returns.**

#### BACKGROUND

At the June 7, 2019 Executive Committee (#5/19), a similar report was brought forward and was referred to the next Board of Directors meeting per RES.#B66/19, with the request:

*THAT the staff report be amended to include a comparison between the investment strategies of TRCA's partner municipalities and other Conservation Authorities;*

TRCA's current investment policy was written in June 1997, with an update in 2016 to permit the organization to invest in the One Investment Program. The current policy is written in accordance with the investment regulations set out in the Municipal Act.

In 2015, the Province of Ontario approved amendments to Ontario Regulation 610/06, Financial Activities, under the City of Toronto Act, 2006, to provide a framework for Toronto to invest in accordance with the Prudent Investment Standard (the Standard). This Standard is akin to that which governs trustees and pension fund administrators and creates a fiduciary responsibility. These reforms enabled the City to earn improved risk-adjusted rates of returns on its investments as it was no longer restricted to a prescribed and limited list of eligible investments. Under section 418.1 of the Municipal Act, municipalities other than the City of Toronto are



## Item 8.8.

authorized to opt into the Prudent Investment Standard. The section of the Act came into effect on March 1, 2018 and is applicable to TRCA's partner municipalities.

In accordance with the Prudent Investment Standard, investments shall be made with judgement and care – under the circumstances then prevailing – which persons of prudence, discretion and integrity exercise in the management of investments, considering the necessity of safety of capital as well as the probable income to be derived.

The standard to be used by investment officials shall be the “prudent person” standard as required by the Regulation and shall be applied in the context of managing the overall portfolio. Investment Officers acting in accordance with written procedures and the investment policy and exercising due diligence shall take all necessary actions to ensure the maximum performance of investments on a portfolio basis, subject to the prescribed risk parameters dictated by the investment policy. The duty under the regulation includes a duty to obtain the advice that a prudent investor would obtain under comparable circumstances.

### **RATIONALE**

In compliance with the Municipal Act, TRCA's investment brokerage account with RBC Dominion Securities has been historically restricted to risk averse investments with limited returns, as proven by the organization's three-year money-weighted rate of return of 1.64% (2016-2018). Since the beginning of 2017, TRCA staff have purchased only one investment using the brokerage account.

As TRCA's partner municipalities are no longer bound by the rules previously guiding the TRCA investment strategy, TRCA staff obtained a legal memorandum to further clarify the organization's regulatory position. The legal memorandum concluded that TRCA's investment strategy is not required to follow regulations in the Municipal Act. Accordingly, TRCA would like to review its investment strategy with an aim to improve its financial returns and appropriately manage risk. TRCA staff propose to do this by aligning the organization with an investment manager, in order to create a fiduciary relationship between TRCA and an experienced investment manager to better balance risk and return.

Through conversations with TRCA's partner municipalities, there are a variety of challenges in adopting the changes to the Act, which do not apply to conservation authorities. The operational and governance changes needed to adhere to the Prudent Investment Standard are considered to be arduous to implement, including the creation of a investment boards/joint investment boards. Prior to partner municipalities taking this matter to their councils for approval, staff are analyzing the cost/benefit of adopting the Standard; however, without a history of performance, it is difficult to demonstrate this element. As the One Investment Program works with municipalities throughout the Province to develop a solution, there are also concerns about potential performance and management fees, given the existing portfolio returns and fees (Attachment 1 Toronto is TRCA's only partner municipality that is actively working to adopt the Standard, which has taken approximately 18 months, and the remaining municipal partners continue to hold exploratory discussions to date; however, they are not in a rush to adopt the Standard given the concerns raised above.

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Regarding the investment portfolios of other conservation authorities, TRCA has provided background information in Attachment 1. There is a substantial concentration in term deposits, guaranteed investment certificates (GICs) and bonds, in order to focus on the preservation of their financial assets' liquidity. Given this investment strategy, the utilization of an investment manager for these conservation authorities would be cost prohibitive. TRCA staff further note that although investments in these investment categories are often perceived to be risk averse, they do represent an opportunity cost in terms of rising interest rates.

If TRCA were to enter a joint investment opportunity with a partner municipality in the future, it would be a timely and costly process to implement in terms of legal and other professional costs. Whether or not the overall benefit would exceed this cost, over and above a direct fee investment manager approach is not clear. Further, governance remains an important concern in determining whether to join the One Investment Program or partner municipalities in a joint investment opportunity. TRCA would take on a more passive approach relying on the Investment Board's decisions given TRCA's relatively small size, rather than a more active informed approach. Currently, TRCA is able to obtain comprehensive services at a competitive cost with the existing provider, RBC DS, offering a 0.5% all-in management fee, to receive enhanced governance from a professional investment manager, would provide the organization with a substantial advantage over the current approach, particularly over the next 1-2 years as partner municipalities incur the costs to develop the legal agreements and framework.

In accordance with TRCA's procurement policy and the Broader Public Sector procurement directive for non-competitive procurement, "procurement of financial services of financial analysts or the management of investments by organizations who have such functions as a primary purpose;" and "procurement of financial services respecting the management of financial assets and liabilities, including ancillary advisory and information services, whether or not delivered by a financial institution" are not required to follow a competitive procurement process. Given that (1) RBC is TRCA's current banking provider, (2) RBC Dominion Securities have offered to waive transactional fees on the sale of the existing portfolio, and (3) RBC Dominion Securities further offered to waive all fees on an ongoing basis, except for a competitive annual management fee of 0.5%, TRCA staff believe that there is reasonable grounds to engage in a non-competitive process.

RBC Dominion Securities' process for supporting TRCA in developing a strategic investment solution involves assessing:

- Risk appetite - TRCA's willingness to accept investment risk in the pursuit of the organization's objectives;
- Risk capacity – the amount of investment risk TRCA can financially tolerate;
- Investment objectives – the amount of investment risk TRCA must accept in order to achieve its goals;
- Disbursement quota – the investment cash flow needed to match spending commitments;
- Liquidity considerations – TRCA's need to access long-term funds at short notice; and
- Special considerations – legal restrictions, contractual obligations, time horizons, etc.

## Item 8.8.

The investment manager will work with TRCA staff to tailor its investment strategy and will propose a solution, including an updated investment policy for Executive Committee and Board of Directors approval, as well as implementation and monitoring services. Monitoring will include monthly performance reports, performance review meetings, annual Executive Committee presentations, annual investment policy review and continuous availability for financial advice. The proposed practices will significantly increase transparency and accountability for TRCA's investment decisions.

Regarding the report's second recommendation, it is unclear in the administrative by-law as to whether delegated authority to staff has been provided to sell investment holdings. As a result staff have suggested a recommendation to this effect.

### **DETAILS OF WORK TO BE DONE**

Upon approval of the recommendations, TRCA staff will develop an updated investment policy for approval, reflecting a modernized strategy to manage risk and improve financial returns.

### **Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:

### **Strategy 7 – Build partnerships and new business models**

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**Date: June 3, 2019**

**Attachment: 1**

Attachment 1: 2017 Conservation Authority Investment Portfolios & Cumulative TRCA One Fund Returns

## Item 8.8.

### Attachment 1 – 2017 Conservation Authority Investment Portfolios & Cumulative TRCA One Fund Returns

<u>2017</u>	<u>Term</u>			<u>One Fund -</u>	<u>One Funds -</u>	
	<u>Deposits</u>	<u>GICs</u>	<u>Bonds</u>	<u>Bonds</u>	<u>Equity</u>	<u>Total</u>
TRCA	\$ -	\$ 4,991,000	\$ 10,313,000	\$ 6,193,000	\$ 500,000	\$ 21,997,000
Grand River	\$ 726,046	\$ -	\$ 14,595,000	\$ -	\$ -	\$ 15,321,046
Halton	\$ -	\$ 4,000,000	\$ -	\$ 7,002,559	\$ 499,998	\$ 11,502,557
Niagara	\$ 4,076,320	\$ -	\$ -	\$ -	\$ -	\$ 4,076,320
CLOCA	\$ -	\$ 3,925,876	\$ -	\$ -	\$ -	\$ 3,925,876
CVC	\$ 2,927,531	\$ -	\$ -	\$ -	\$ -	\$ 2,927,531

### Book Value Returns on 2017 Investments (Per Financial Statements):

	<u>TRCA</u>	<u>Other CAs</u>
Term Deposits	N/A	1.80%
GICs	1.75% - 2.46%	0.95% - 2.00%
Bonds	1.58% - 3.62%	1.30% - 2.82%

### TRCA One Fund Returns (2016 - Present):

#### Book Value:

	<u>Sept 9, 2016</u>	<u>June 10, 2019</u>	<u>2.75 Year</u>	<u>Annualized</u>
	<u>Invested</u>	<u>Book Value</u>	<u>Return</u>	<u>Return</u>
Bond	\$3,500,000	\$3,722,070	6.34%	2.31%
Corporate Bond	\$2,500,000	\$2,669,986	6.80%	2.47%
Equity	\$500,000	\$500,000	0.00%	0.00%

#### Market Value:

	<u>Sept 9, 2016</u>	<u>June 10, 2019</u>	<u>2.75 Year</u>	<u>Annualized</u>
	<u>Invested</u>	<u>Market Value</u>	<u>Return</u>	<u>Return</u>
Bond	\$3,500,000	\$3,617,828	3.37%	1.23%
Corporate Bond	\$2,500,000	\$2,631,869	5.27%	1.92%
Equity	\$500,000	\$649,838	29.37%	10.68%

Annual fees paid to the One Investment Program are as follows:

- Bond Portfolio - 0.40% (**Fees are approx. 24.54% of annualized return**)
- Corporate Bond Portfolio - 0.45% (**Fees are approx. 19.99% of the annualized return**)
- Equity Portfolio - 0.60% (**Fees are approx. 5.32% of the annualized return**)

### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Laurie Nelson, Director, Policy Planning

**RE:** **SECTION 28 REGULATION MAPPING**  
Jurisdiction-Wide Update

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#### KEY ISSUE

To seek Board of Directors' endorsement of the jurisdiction-wide update to TRCA's Section 28 Regulation mapping based upon the most current information available related to regulated natural hazards and natural features.

#### RECOMMENDATION

**WHEREAS** Toronto and Region Conservation Authority (TRCA) staff have undertaken 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;

**WHEREAS** TRCA staff are committed to working cooperatively with all of TRCA's municipal partners, landowners, the Building Industry and Land Development Association (BILD) and stakeholders regarding the implementation of TRCA's regulatory permitting responsibilities under Section 28 of the Conservation Authority's Act, including opportunities to streamline the approval process;

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

**THAT** staff continue to make updates to the Regulation mapping on an annual basis;

**AND FURTHER THAT** the Ministry of Natural Resources and Forestry, Ministry of Environment Conservation and Parks, Ministry of Municipal Affairs and Housing, TRCA municipal partners and Conservation Ontario be so advised.

#### BACKGROUND

TRCA has a regulatory permitting responsibility to protect people, the environment and property from natural hazards associated with flooding, erosion and slope instability, and to conserve valleylands, wetlands, watercourses and the shoreline of Lake Ontario. Pursuant to Section 28 of the *Conservation Authorities Act*, TRCA administers a "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation", (the Regulation), approved by the Minister of Natural Resources and Forestry and known as Ontario Regulation 166/06, as amended. Key objectives of the Regulation include preventing or reducing the risk to life and property; minimizing negative impacts on natural features, functions, and systems; and preventing the creation of new hazards or aggravation of existing hazards.

The Regulation enables TRCA to prohibit or regulate development in areas of land associated with natural hazards, wetlands and watercourses, collectively known as TRCA's Regulated Area.

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In the *Conservation Authorities Act*, “development” is defined as:

- Construction, reconstruction, erection or placing of a building or structure of any kind;
- Any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- Site grading; or
- Temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

The Regulation also prohibits, in the absence of a permit from TRCA, alteration of the channel of a watercourse and interference with a wetland.

The areas of land where TRCA’s Regulation applies are:

- River and stream valleys, including valleys with stable and unstable slopes, plus an allowance of 15 metres surrounding the valley;
- Floodplains and areas subject to stream-related erosion (meander belts) where valleys are not clearly defined on the landscape, plus an allowance of 15 metres surrounding these areas;
- Lake Ontario Shoreline, including associated flooding, erosion, slope instability and dynamic beach erosion hazards, plus an allowance of 15 metres inland from these areas;
- Watercourses;
- Wetlands and areas surrounding wetlands, where development could interfere with the hydrologic function of a wetland (areas of interference). This includes 120 metres surrounding Provincially Significant Wetlands, wetlands on the Oak Ridges Moraine and 30 metres surrounding all other wetlands; and
- Hazardous lands, which are lands that could be unsafe for development due to flooding, erosion, dynamic beaches or unstable soil or bedrock.

Each of these natural hazards and environmental features and the associated regulated areas are described in law through the text of the Regulation. However, given the specific geographic areas to which the Regulation applies, and the need to represent these areas visually, the Regulation also provides for the creation of Regulation mapping. This mapping can be updated by TRCA as new information becomes available.

At Executive Committee Meeting #4/18, held on June 8, 2018, Resolution #B53/18 was approved as follows:

*THAT [the staff report](#) on the comprehensive update to the Section 28 Regulation mapping be received;*

*AND FURTHER THAT staff report back after the municipal and public consultation for endorsement of the updated mapping.*

TRCA staff have now completed the comprehensive update to the Regulation mapping in consultation with TRCA development, infrastructure and technical review staff, municipalities, the development industry, and the public. Through the consultation process, TRCA staff have worked with member municipalities and representatives from the building industry to identify opportunities to increase operational efficiencies, streamline processes and enhance customer

## Item 8.9.

service. At Board of Directors Meeting #3/19, held March 29, 2019, Resolution #A38/19 was approved as follows:

*WHEREAS the provincial government intends to streamline the land use planning and development approval process to increase the supply of housing;*

*AND WHEREAS Conservation Authorities play an important role in the planning and development review process with respect to watershed protection and hazard lands;*

*AND WHEREAS Conservation Authorities support and can help to deliver on the Government's objective while not jeopardizing public health and safety or the environment;*

*THEREFORE LET IT BE RESOLVED THAT [the staff report](#) entitled "Meeting Provincial Priorities for Reducing Regulatory Burden and Streamlining Approvals" be received;*

*AND THAT the Board of Directors endorse the three key areas identified by the Conservation Ontario working group for all Conservation Authorities to: 1) improve client service and accountability; 2) increase speed of approvals; and 3) reduce the notion of "red tape" and regulatory burden, in addition to the ongoing streamlining measures being undertaken by TRCA as set out in this report;*

*AND THAT staff be directed to work with Conservation Ontario, municipalities and stakeholders, including but not limited to the Building Industry and Land Development Association (BILD), to identify additional improvements and report back to the Board of Directors on the outcome of this work.*

Subsequent to the commencement of the Regulation Mapping Update project and the above noted reports to TRCA Board of Directors, the Province posted on the Environmental Registry of Ontario (ERO) a proposal to modernize the *Conservation Authorities Act* and its section 28 individual conservation authority regulations. A link to TRCA's comments on these two ERO postings and the proposed amendments to the *Conservation Authorities Act* can be found [here](#) on pages 94 through 129, and [here](#). It should be noted that the final amendments to the *Conservation Authorities Act* as a result of Bill 108 becoming law, the *More Homes, More Choice Act* (June 2019), do not affect the Regulation Mapping Update project. TRCA's Ontario Regulation 166/06 remains in effect until such time as the Province establishes a new regulation for all conservation authorities under the new section 28 of the Act. TRCA Policy Planning staff will continue to monitor the ERO for provincial initiatives that may affect TRCA's policies and procedures with respect to its Regulation and regulation mapping and will keep TRCA staff and the Board informed accordingly.

### **RATIONALE**

#### **Regulation Mapping: What it is and how it works**

TRCA's Regulation mapping is a tool that conceptually shows the area of land within TRCA's jurisdiction that is likely to be subject to the Regulation. The Regulation limit boundary is based on the best technical information available to TRCA at the time of the preparation of the map. The mapping represents spatial information for each of the regulated features and areas, which is integrated to form one conceptual boundary of the Regulation limit. TRCA's Reference Manual – Determination of Regulation Limits provides the standards and criteria used for the mapping of these features and areas.

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Technical analysis that supports the mapping includes flood plain studies, provincial wetland mapping, ecological land classification mapping, digital elevation models, aerial photography, watercourse meander belt analysis, watercourse location mapping and Lake Ontario shoreline hazard assessment studies. Site-specific investigations and studies are required to precisely define the location of hazards and features and the legal extent of the Regulation, which typically occurs through consultation between landowners and TRCA staff during the review of a development application or proposal.

The mapping is not a “statutory map”, which means that the mapping does not have the force of law. The actual regulatory requirements are found within the provisions of [Ontario Regulation 166/06](#) (i.e. the text of the Regulation prevails in the case of a conflict with the mapping). The mapping is best considered as a screening tool for TRCA, municipalities and the public that indicates where the Regulation likely applies, thereby assisting with implementation of TRCA’s regulatory permitting responsibilities. This contrasts with a more rigid boundary such as a schedule of a municipal zoning by-law.

### **The Regulated Area is not a Development Limit**

The mapping does not indicate areas where development is prohibited, but rather areas where development will need to take into consideration certain constraints from natural hazards or features, and for which a permit is required from TRCA prior to development activity commencing. In addition to facilitating TRCA’s permitting responsibilities, the mapping is also used to inform:

- Solicitor/Realtor Property Inquiries;
- TRCA’s delegated responsibility to represent the provincial interest for natural hazards;
- TRCA’s review of applications under the *Planning Act* and *Environmental Assessment Act*, as described through Memorandums of Understanding for plan input and plan review with TRCA’s municipal partners;
- Municipal Comprehensive Reviews including natural heritage systems mapping, including natural hazard mapping, and land needs assessment; and
- Comprehensive Zoning By-law updates, including hazard land mapping.

Improving the accuracy of the mapping through this comprehensive update and consultation is particularly timely given that municipalities are currently undertaking Municipal Comprehensive Reviews for conformity to recently amended provincial plans, such as “A Place to Grow: The Growth Plan for the Greater Golden Horseshoe”. TRCA planning and GIS staff have been working with planning staff at Durham, York and Peel Regions to provide data layers from the updated regulation mapping to inform their land needs assessment for municipal growth planning.

### **Updated Regulation Mapping**

TRCA has the ability to update the mapping as new information becomes available. Updates to the Regulation mapping improve its accuracy with respect to what is likely regulated by TRCA, thereby enhancing certainty for landowners considering or proposing development. This also assists both TRCA and municipal staff conducting development and infrastructure reviews. The last jurisdiction-wide update was completed in 2006 as part of the Generic Regulation conformity exercise. Since that time, area specific updates have occurred, typically coordinated with municipal planning exercises (e.g. Nobleton and King City Comprehensive Zoning By-law Update, Official Plan Amendments for Special Policy Area updates).



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The current comprehensive update to the existing mapping has been undertaken to reflect new technical information on current aerial photography. Based on new studies and analyses, as well as an extensive internal consultation process, involving meetings and workshops conducted with development and environmental assessment plan review staff and technical staff (engineers and ecologists), staff have prepared updated draft Regulation mapping. TRCA is following the guidance provided by Conservation Ontario for regulation mapping updates. It is important to note that only the mapping is being updated; there are no legislative changes to the text of the Regulation driving the mapping update. Furthermore, there is no legal requirement for municipal council or Ministerial approval of the updated mapping.

Changes to the mapping include:

- Revised wetland and area of interference limits associated with new and updated wetland evaluations and mapping by Ministry of Natural Resources and Forestry and TRCA;
- Adjustments to flood hazard limits as a result of updated floodplain mapping;
- Changes to features and hazards resulting from as-built development approved by TRCA (e.g. watercourse channel realignments);
- General refinement of regulated features resulting from detailed site examination and field verification of properties through the development and infrastructure review processes (e.g. top of bank staking) and/or site visits at the request of individual landowners.

### **Municipal Consultation and Public Information Sessions**

Although the mapping is not being updated due to any modifications to the Regulation, the comprehensive nature of the proposed mapping changes and potential impact on municipalities and landowners required a broad strategy for outreach and education.

TRCA staff held in-person consultations with member municipalities and information sessions with the public and stakeholders over the period of August 2018 through January 2019. Municipal consultation, held prior to public consultation, included a webinar at the end of June 2018, the posting of a webpage providing access to review and comment on the draft mapping, and in-person meetings with municipal staff through their planning, building and other departments (e.g. infrastructure, engineering, etc.).

The online tools available first to municipalities and then to the public included the mapping viewer to see draft updates to the regulation limit and criteria layers (e.g., flood plains, wetlands, crest of slope, etc.), as well as a commenting tool. A short video tutorial was also on the website demonstrating how to use the online tools. Municipalities and the public (including members of the building industry) used the mapping viewer and commenting tool to electronically draw lines around their property(ies) of interest and submit corresponding comments directly to TRCA staff. Staff also received comments at the public information sessions as written on comment cards made available at the sessions.

Having evaluated and incorporated municipal feedback, TRCA staff updated the draft online viewer with further-refined mapping for comment and released [the project website](#) for public viewing in Fall 2018. In-person public consultation was held in the form of five public information sessions throughout the jurisdiction during the last week of November and first week of December 2018. The sessions were well advertised, with notices in numerous GTA local newspapers and on TRCA's website and social media accounts. Attendees were a mixture of residents and development consultants, while questions were largely those of clarification on

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TRCA's roles and the implications of the mapping updates to specific properties.

In addition, TRCA staff held individual stakeholder meetings upon request. For example, staff presented the regulation mapping update project to the Peel Agricultural Advisory Committee in November 2018 and to the Building and Land Development Industry (BILD) in January 2019 and May 2019.

### **Summary of Comments Received**

Staff received over 450 comments in written correspondence from municipal staff, the building industry, members of the public and internal TRCA staff. More than half of the comments came from municipal staff and about a third were from the public, including the building industry. Each remark was captured in a database and sorted by municipality.

Comments on specific properties were evaluated with the pertinent TRCA development or infrastructure planning teams and technical staff before a decision was made on whether the proposed draft mapping would require further refinement. A corresponding response was recorded in the database for each comment received that indicated how the comment was addressed. Staff are currently in the process of compiling all of the responses for distribution to all municipalities and stakeholders who had submitted written comments.

The following is a synopsis of the more frequently raised comments, and a summary of TRCA's responses.

### **Regulatory Process Interface with the Planning Process**

TRCA staff met with approximately 40 members of the Building and Land Development Industry in January 2019 to present the Regulation Mapping Update project and to solicit feedback on the mapping changes. BILD members had expressed concern that the draft regulation mapping updates of features, hazards, allowances and areas around wetlands, appeared to conflict with planning decisions being made during development review and approval processes in progress under the *Planning Act*. Staff explained that the regulation limit shown on the mapping is not a development limit but rather a conceptual illustration of natural features and hazards development needs to take into account for possible constraints due to natural hazards or features, and for which a permit is required from TRCA prior to development activity commencing. The ground-truthed location and extent of features and hazards are confirmed and more clearly defined within the development and infrastructure review processes through proponent-led studies and field work. Separate from TRCA regulation mapping, setting the limits of features and hazards and determining buffers and setbacks culminate in a development limit as approved by the municipality as part of the review and approval process under the *Planning Act*. This is carried out in accordance with provincial and municipal requirements and standards, and in consultation with municipalities as decision-makers under the *Planning Act*, and with TRCA as a commenting agency providing technical advice to municipal planning staff.

It is also important to note that in participating in the review of applications under the *Planning Act*, TRCA staff ensure that the proponent and the municipal approval authority are aware of TRCA permitting requirements under our *Conservation Authorities Act* Regulation, where applicable; and further, our staff assist in the coordination of these applications to avoid ambiguity, conflict and unnecessary delay or duplication in the process.

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Once approved development activity is implemented and constructed on the landscape, the regulation mapping may need to be updated to reflect what changes may have occurred to features and hazards as a result of construction and grading. To this end, staff conveyed to the building industry that the regulation mapping is not meant to undermine decisions made between TRCA, proponents and municipalities in the planning process since any regulated features approved for alteration or removal remain in the mapping until they are altered or removed on the landscape. The mapping must capture features as they exist on the ground and as shown in the latest aerial photography. Mapping updates based on on-the-ground changes occur as soon as feasible based on staff resources and workload.

Recognizing there is a period of time between construction and mapping updates, BILD members requested that TRCA staff add a new layer in the mapping to identify if an area is undergoing a block plan, secondary plan, or master environmental servicing plan study. In May 2019, TRCA staff met with a smaller working group of BILD to provide an update on the progress of the Mapping Update as staff were concluding our comprehensive review of all comments received on the mapping and corresponding refinements to the latest draft mapping. To address their concerns, staff are adding information to TRCA's internal development review teams' regulated area mapping viewer (used for planning and permit application reviews and at the public walk-in counter) that identifies to staff if an area is under study through a planning exercise and may be subject to future changes. All of the responses to comments described here are currently being documented by staff and will be sent to BILD and the individual members who have made these comments and requests.

### **Flood Plain Limits and Areas Around Wetlands**

Several comments from municipalities and the public were of an inquiry nature as to how a flood plain could affect properties located outside a valley corridor. In numerous situations, staff worked to educate the public on how flood plains are mapped (e.g., estimated versus engineered flood plain mapping, regulatory storm standards, urban flooding versus riverine flooding, etc.). In several cases, it was another criterion driving the regulated area limits beyond the valley or the flood plain, such as the area around a wetland, known in the "area of interference". In these instances, staff emphasized that the regulation limit is based on the greater of all the features and hazards mapped plus a 15-metre allowance (or 30m or 120m Area of Interference in the case of a wetland), but that this (at times) large extent is not a development limit. Again it is important to note that the mapped features, hazards and the areas around them constitute a screening layer that flags to staff and stakeholders where development may have to take into account constraints and where a permit from TRCA is required prior to construction.

### **Mapping of Watercourses**

Several watercourses in the draft mapping were brought to the attention of staff through comments received for numerous reasons, including that they have been removed, do not exist, or have been approved for alteration or removal. Staff went through each received remark to ground truth them using several approaches. As noted above, the mapping is not meant to undermine past planning approvals, however, it can only be updated following construction to reflect as-built conditions on the landscape (e.g. watercourse realignment). Internal discussions to confirm construction resulted in several watercourses being deleted from, or retained in, the mapping. Where internal discussions did not provide confirmation, staff verified limits through site visits held in Spring 2019, which led to further revisions to the watercourses mapped. Staff confirmed in these site visits that some watercourses represent headwater drainage features and will remain in the mapping until such time there is an application that may affect these features. Many landowners staff visited through this exercise were receptive to education from

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staff on the purpose of the mapping and that the Regulation is not meant to impede activities such as standard agricultural practices.

### **Stormwater Management Ponds within the Regulated Area**

A commonly received remark questioned why so many stormwater management (SWM) ponds were being captured by the updated mapping. Staff confirmed that SWM ponds themselves are not regulated features or hazards, but that where they happen to fall within a regulated feature or hazards, such as a valley corridor (below the crest of slope), within the meander belt of a watercourse, in a flood plain, or in a wetland area of interference, they are contained within the regulated area. In some cases, stand-alone stormwater management ponds outside of features and hazards were identified and mapped in error as an (unevaluated) wetland. After verification with TRCA development and technical review staff familiar with those features, they were either retained (if a wetland, or if not a wetland but within a valley or other regulated area) or removed (if not a wetland and not within another criterion or its allowance) from the mapping.

### **Tableland Woodlots within the Regulated Area**

Some commenters wondered why woodlands fell within the regulation mapping when tableland woodlands are not a feature or hazard identified in the text of TRCA's Regulation. Similar to SWM ponds as above, tableland woodlands are not themselves regulated features or hazards, but where they happen to fall within a regulated area, such as a valley corridor (below crest of slope), within the meander belt of a watercourse, in a flood plain, or in a wetland area of interference, they are contained within the regulated area. As well, some woodlands are classified as wetlands through ecological land classification (ELC) mapping, or Ministry of Natural Resources and Forestry (MNRF) records given that they are swamps. Ecology staff confirmed several cases where a woodlot would be regulated because it represents a wetland.

### **Streamlining for 120m Wetland Area of Interference (AOI)**

Many comments spoke to the area between 30m and 120m from a wetland that constitutes a portion of TRCA's Regulated Area. Some stakeholders expressed concern that requiring TRCA permits in these areas for minor development activities would unnecessarily burden individual landowners. Under TRCA's Regulation, a wetland area of interference (AOI) is 30 metres around a wetland, except when it is designated as provincially significant (PSW) or falls on the Oak Ridges Moraine (ORM), which require a 120-metre AOI. As such, numerous developed areas were brought into the draft mapping, at times across the street from wetland features. TRCA supports streamlining permitting processes by reducing regulatory restrictions within the 30 to 120m of a wetland contingent upon the restriction being applicable to built-up urban areas (e.g., within the Built Boundary of the Growth Plan) where the hydrologic connection has either already been severed, or wetland water balance has already been addressed through review, approval and construction processes.

Accordingly, staff acknowledge that projects such as decks, pools, minor additions, and road re-surfacing in these areas would represent low risk and that TRCA's existing streamlining protocols (e.g., minor works, routine infrastructure works, staff delegated approvals/clearance) should apply. Further, staff examined several mapping scenarios for excluding existing, built urban lots and roads from the AOI between 30 and 120 metres. To this end, staff reached consensus on an additional streamlining measure that would see all wetlands within the urban area with a 120m AOI be reduced to a 30m AOI. The screening tool TRCA staff will use to determine the extent of the urban area is the Province's Greater Golden Horseshoe Built Boundary (2006), updated to include built urban areas post-2006 within TRCA's jurisdiction.

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These approaches allow staff to streamline the permit review process significantly where the scale and location of development activities are known to have little to no impact on the hydrologic function of a wetland. Nonetheless, TRCA maintains that the 120 metre area of interference is warranted for designated greenfield areas in order to assess a development proposal's potential impact on the hydrological function of a wetland within its catchment (e.g., large-scale redevelopment, major infrastructure, major fill placement). This approach is similar to the 120-metre area of study in the "adjacent lands" to a natural heritage feature or area as prescribed within the PPS and accompanying Natural Heritage Reference Manual (MNR, 2010).

### **Tracking, Notification, and Future Updates**

Once endorsed, staff will distribute the updated mapping to TRCA municipalities for their use. TRCA will notify Conservation Ontario and the Ministry of Natural Resources and Forestry, other Ministries as well as neighbouring conservation authorities and stakeholders, of the update. In addition, the publicly available "Regulated Area Search Tool" on TRCA's website will be updated to include the new mapping. Changes to the Regulation mapping are tracked in TRCA's Geographic Information System (GIS) databases and will be recorded on each of TRCA's 132 Regulation maps that span the jurisdiction, as referenced in Ontario Regulation 166/06, as amended.

As part of this project, staff are establishing a protocol for conducting and tracking future incremental mapping updates in a consistent and timely manner. Moving forward, staff plan to undertake an update to the Regulation mapping once per year (alongside any large-scale updates resulting from municipal studies/reviews). In the case of an update that involves substantial changes, a report will be brought to the Board with the appropriate documentation related to municipal, public and stakeholder consultation.

Updated Regulation mapping will ensure that TRCA staff, municipalities, stakeholders and the public have the most accurate and current information to inform decision-making. It will also help improve TRCA's service delivery, for example in pre-consultation meetings and walk-in planning services, and enhance coordination between TRCA and municipal staff.

### **Implementation and Transition**

The implementation of the updated mapping will not result in any changes to the day to day functions and procedures for TRCA's roles. It is important to reiterate that the Regulation mapping does not undermine the decisions made through the development review process and applications in progress will not have to "re-start" the process based on being inside an area affected by the mapping updates. TRCA staff have discussed with our municipal partners that we will implement transitional procedures to ensure the smooth transition from our existing mapping to the revised mapping. This transition will involve updates on the project webpages and Online Regulatory Search Tool of the TRCA website and ongoing consultation and training with municipal staff (for which TRCA staff has received requests) once the mapping is finalized. The updated regulation mapping will be finalized and provided digitally to municipalities and their building departments and posted on the TRCA website's Regulatory Search Tool following Board of Directors' endorsement.

### **Future Streamlining Measures**

In addition to the streamlining measures identified above and in prior staff reports, staff are presently developing a project charter as part of the organizational digital transformation strategy. This project will initiate a multi-year process to assess systems and business workflows and define a new streamlined business process for TRCA's planning and permitting

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functions. These changes will provide TRCA with a modern, efficient, transparent and flexible system for conducting business, and will ultimately allow TRCA to improve approval timelines and customer service.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 2 – Manage our regional water resources for current and future generations**

**Strategy 4 – Create complete communities that integrate nature and the built environment**

**Strategy 8 – Gather and share the best sustainability knowledge**

**Strategy 12 – Facilitate a region-wide approach to sustainability**

### **FINANCIAL DETAILS**

Funding to support policy and planning input and GIS services for the mapping products was provided by capital funding from TRCA's participating municipalities in account 120-12.

### **DETAILS OF WORK TO BE DONE**

- Following Board endorsement, TRCA staff will:
  - post the latest draft mapping (June 2019) on the TRCA Regulation Mapping Update project webpages (currently posted mapping is from November 2018)
  - conduct a quality control check on the June 2019 draft mapping and distribute the final updated Regulated Area mapping to member municipalities
  - update the existing mapping search tool on TRCA's website with the final updated Regulated Area mapping and notify parties as appropriate.
  - add information to TRCA's internal development review staff's regulated area mapping viewer (used for planning and permit application reviews and the public walk-in counter) that identifies to staff if an area is under study through the plan review process and may be subject to future changes
  - distribute written responses to all written comments received on the draft regulation mapping
  - host training sessions on the updated regulation mapping for municipal staff and on TRCA roles and responsibilities, as requested
  - continue to monitor the mapping for future changes that will be compiled and implemented on an annual basis.
  - continue to participate in TRCA's organizational digital transformation strategy and other streamlining measures to improve approval timelines and customer service
  - continue to monitor the ERO for provincial initiatives that have implications for TRCA's Regulation and regulation mapping, and will keep TRCA staff and the Board informed accordingly.

### **CONCLUSION**

TRCA has completed a comprehensive review and update of its regulation mapping across the jurisdiction with consultation and input from municipalities stakeholders including, the building industry and the public. The regulation limit shown on the mapping is not a development limit but rather a conceptual illustration of natural features and hazards development needs to take into account for possible constraints due to natural hazards or features, and for which a permit is required from TRCA prior to development activity commencing. The mapping is used by TRCA development and infrastructure review staff and policy planning staff to inform our roles

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and responsibilities in planning, infrastructure and permit review processes, and supports municipalities in their comprehensive planning projects.

To ensure a smooth transition between the current and the updated regulation mapping, TRCA will ensure ongoing communication with our municipal partners, with proponents and other stakeholders, including training and education on the mapping and on TRCA roles where requested. The improved accuracy of the mapping and the enhancements to streamlining achieved through this update, will continue through ongoing and comprehensive annual updates and continuing dialogue with stakeholders. Ultimately, these exercises help to increase certainty, effectiveness and efficiencies for all stakeholders in review and approval processes.

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**Date: June 13, 2019**

### Section I – Items for Board of Directors Action

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** John MacKenzie, Chief Executive Officer

**RE:** **TORONTO WILDLIFE CENTRE AND MENNO-REESOR RESTORATION PROJECT**

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#### KEY ISSUE

Update on the Toronto Wildlife Centre Project and the Menno-Reesor Restoration Project.

#### RECOMMENDATION

**WHEREAS** at its meeting on May 24, 2019, TRCA was directed to undertake actions to advance the \$20 million dollar Toronto Wildlife Centre (TWC) office project in 2020 budget submissions with \$15 million dollars to come from the City of Toronto and \$5 million dollars to come from York Region.

**WHEREAS** the City of Toronto has requested that TRCA provide a \$450,000 grant to TWC to facilitate their relocation to the Menno-Reesor lands out of the \$3.5 million dollars the City set aside for TRCA to do work that included restoration, grading, fencing, access and landscaping work.

**WHEREAS** the proposed site for the TWC is no longer under Toronto and Region Conservation Authority's (TRCA) ownership, having been transferred to Parks Canada on May 31, 2019.

**AND WHEREAS** the Conservation Authorities Act limits what projects are eligible to receive funding through levying participating municipalities.

**THEREFORE LET IT BE RESOLVED THAT** TRCA's Board of Directors recognize TRCA's inability to levy our partner municipalities for this project and our limited role in the Menno-Reesor Restoration Project, which includes preparing the site for TWC's potential relocation in 2019, providing a grant of \$450,000 to TWC, and working with TRCA's partner municipalities and Parks Canada on a cost recoverable fee for service basis pertaining to the Menno-Reesor lands, if TRCA is engaged to do so;

**AND THAT** TRCA encourage TWC to do their own budget presentations to municipalities in their service areas recognizing TRCA's historic support and limited role on this project and requirements of the Conservation Authorities Act.

**AND FURTHER THAT** TWC be encouraged to finalize the lease with Parks Canada, originally prepared by TRCA, and enter into agreement(s) with TRCA regarding the use of any studies to be procured by TWC so that we may advance TRCA work in support of temporary relocation of TWC on the Menno-Reesor site recognizing TRCA's limited role.

#### BACKGROUND

At Board of Directors Meeting #5/19, held on May 24, 2019, Resolution #A103/19 was split into six parts and voted on as follows:



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1. THAT TRCA include the \$20 million Toronto Wildlife Centre (TWC) project as an “above the line” priority project within the 2020 TRCA budget submission to its partner municipalities, with \$15 million to be contributed by the City of Toronto and \$5 million to be contributed by the municipalities of York Region over a 20-year period. CARRIED

2. Direct staff to keep the TWC project as an “above the line” priority project and find capital offsets from other capital projects within those municipalities, if Toronto and/or York Region are unable to increase the TRCA capital budget by \$1 million per year. DEFEATED

3. THAT TRCA agrees to support the TWC providing “naming rights” to large private sector donors for sections of the TWC project and individual rooms. CARRIED

4. THAT TRCA agrees to the TWC overseeing the building project and that TRCA encourage the TWC to seek private sector donations of materials like wood, steel, concrete, glass, etc. for the project. CARRIED

5. THAT TRCA’s grant team create a series of \$1 million tree planting and habitat restoration projects for submission to Toronto and York Region Forestry Departments with a request for funding that would allow the TRCA to accelerate these projects if possible and would assist our partner municipalities in achieving their tree canopy targets. DEFEATED

6. THAT staff report back on the progress of this motion as adopted at the earliest opportunity. CARRIED

Subsequent to this meeting, the land on which TWC seeks to build their potential temporary and future headquarters was transferred from TRCA to Parks Canada on May 31, 2019, to realize Rouge National Urban Park, in accordance with prior Board, federal and provincial government direction.

Additionally, modifications to the Conservation Authorities Act received Royal Assent on June 6, 2019, limiting the type of programs and services that a conservation authority can provide and further limiting the practice of levying funds to partner municipalities for services outside of our defined core mandate.

Both changes subsequent to the Board meeting and existing practices with municipal partners prevent TRCA staff from fulfilling the Board’s direction included in motions one, three and four above.

It should be noted that TRCA had worked with TWC in the past to find an appropriate solution to the in-office accommodation and hospital issue on TRCA lands. Previously TWC and Earth Rangers Foundation partnered in 2002 to develop one of the world’s most advanced wildlife centre located on a 13-hectare parcel of land leased from TRCA to Earth Rangers at the Kortright Centre in Vaughan.

Nathalie Karvonen, the current Executive Director of TWC was a member of the Board of Directors of Earth Rangers at that time. The 4,745 sq m. centre that was built, (Similar to the 4,853 sq. m centre that is currently being proposed) was designed to treat up to 5,000 animals per year, and offer wildlife rescue, rehabilitation and release, oil spill response, public and

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professional education, and research. The facility was purpose built not only to treat wildlife but was proposed to be one of the country's most energy efficient buildings, demonstrating innovative technologies and setting a new standard for sustainable design in Canada.

In 2003, TWC decided not to move forward with the proposed partnership with Earth Rangers. The facility opened as planned in 2004 and Earth Rangers operated the wildlife hospital and rehabilitation centre operations for 3 years with various partners. In 2006, Earth Rangers decided to discontinue its wildlife hospital and rehabilitation operation but the facility at the Earth Rangers site is still present. TRCA has leased a portion of the office space left vacant. TRCA staff have noted that rather than asking for \$20 million dollars in municipal capital funding for an accommodation solution and hospital solution on Parks Canada lands, it may be opportune for TWC to determine whether existing vacant space in this building could be used to provide TWC services.

### **RATIONALE**

Bill 108, More Homes, More Choice Act, 2019, received Royal Assent on June 6, 2019 and this legislation amended the Conservation Authorities Act and multiple Acts.

Section 21.1 (1) of the Conservation Authorities Act now clarifies that an authority's programs or services within its area of jurisdiction are limited to the following:

1. *A program or service that meets any of the following descriptions and that has been prescribed by the regulations:*
  - i. *Programs and services related to the risk of natural hazards.*
  - ii. *Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title.*
  - iii. *Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the Clean Water Act, 2006.*
  - iv. *Programs and services related to the authority's duties, functions and responsibilities under an Act prescribed by the regulations.*
2. *A program or service, other than a program or service described in paragraph 1, that has been prescribed by the regulations on or before the first anniversary of the day prescribed under clause 40 (3) (h).*

Regulations are yet to be provided; however, it is not anticipated that the Ministry would deem TWC's project to be related to TRCA's duties, functions and responsibilities.

Further to this point, the Act now states the following:

- 1 *"project" means a work undertaken by an authority for the furtherance of its objectives*
- 25 (1) *An authority may, from time to time, determine the amount of capital costs to be incurred in connection with a project and apportion the capital costs to the participating municipalities in accordance with the regulations.*

TRCA levies its partner municipalities in accordance with the regulations. By providing staff direction to levy funding from municipalities for the potential project of an independent, non-controlled registered charitable organization on lands that are no longer in TRCA's ownership or control, the first motion exceeds the Board of Directors' fiduciary duties as described by the Act.

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Without clarification to ensure the budget submission request is able to be approved by the municipalities to which it is made, there is a risk that over the next year, TWC will act in reliance on the funding commitment expressed in the Board resolution, when there is no clear mechanism to implement the resolution.

In terms of the third motion, subsequent to the land transfer to Parks Canada, any potential lease would exclude TRCA, as the lands are no longer under TRCA's ownership. This situation would be akin to TRCA's Board of Directors agreeing to support the Rogers Centre's name change from the SkyDome – TRCA as an organization has no standing to comment on naming rights for the potential building and its components for which TRCA is not involved.

In terms of the fourth motion, there was never an agreement with TWC granting TRCA oversight of the potential \$20 million dollar TWC office project, and as such, TRCA's Board of Directors cannot assign oversight rights to TWC for a non TRCA project, nor should TRCA encourage private donations for a project that is not an eligible program or service of a conservation authority.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:

#### **Strategy 7 – Build partnerships and new business models**

### **FINANCIAL DETAILS**

To date, no municipal funding has been provided in support of TWC's permanent \$20 million dollar office project. The City of Toronto provided \$3.5M of funding to TRCA for a "Menno-Reesor Restoration Project" to deliver high-quality habitat restoration, grading, fencing, access and landscaping work and planting of 100,000 trees at the 27 hectare site formerly known as the Runnymede site, in a City Council motion that made no reference to TWC.

Subsequently, Toronto City Council requested that TRCA provide a grant of up to \$450k to TWC from the previously approved funds (\$3.5M), subject to the approval of TRCA's Chief Financial and Operating Officer, to prepare a temporary facility for TWC on the site.

This request by Toronto Council provides funds which would allow TWC to use their own consultant, Stanford Downey Architects Inc. to prepare studies and drawings to support TRCA's planned work on chosen upgrades to the barn and heritage home in a manner that suits TWC needs. However, as per this request from City of Toronto Council, TRCA is working to develop a grant agreement to permit such use of funds in recognition of TWC's eviction from their current location at year end. No granting agreement will be entered into by TRCA until a lease is finalized between Parks Canada and TWC. Agreements will also be required between TRCA, TWC and Parks Canada to enable staff to advance the upgrades to the heritage house and barn for the temporary relocation on the Menno-Reesor lands which are now owned by Parks Canada. We understand that finalization of the lease is pending the outcome of planning approvals process for the \$20 million dollar office project being led by TWC as applicant. TRCA continues to perform the \$3.5M fee for service work on behalf of the City of Toronto and staff are working with all parties to ensure that the project is complete, including all required approvals, for TWC's occupancy of the temporary facility as of the end of 2019. The signing of the lease between TWC and Parks Canada and agreements between TRCA, TWC and Parks Canada related to reliance work to be performance by TWC's architects and consultants remain as major timing risks to TWC relocation hence inclusion of the third recommendation.

## **Item 8.10.**

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**Date: June 13, 2019**

**Section I – Items for Board of Directors Action**

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Michael Tolensky, Chief Financial and Operating Officer

**RE:** **CONSERVATION AUTHORITIES ACT AMENDMENTS AND REQUEST FOR DIRECTION TO PURSUE AND EXECUTE UPDATED MEMORANDUMS OF UNDERSTANDING AND SERVICE LEVEL AGREEMENTS WITH PARTNER MUNICIPALITIES BASED ON TERMS OUTLINED IN THIS REPORT**

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**KEY ISSUE**

Update on the known impacts of the amendments to the Conservation Authorities Act on the programs and services offered to partner municipalities by Toronto and Region Conservation Authority (TRCA) and request for direction to pursue and execute updated memorandums of understanding and service level agreements with partner municipalities.

**RECOMMENDATION**

**WHEREAS** amendments to the Conservation Authorities Act call for non-mandatory programs and services offered to partner municipalities to be governed under a memorandum of understanding or such other agreement as may be entered into with the municipality in respect of the programs and services;

**AND WHEREAS** Toronto and Region Conservation Authority (TRCA) has a range of agreements already executed with its partner municipalities, including memorandums of understanding and service level agreements, which could be revised to better reflect the broad range of fee for service work performed;

**THEREFORE, LET IT BE RESOLVED THAT** TRCA staff be given direction to pursue and execute updated memorandums of understanding and service level agreements with its partner municipalities based on the terms set out in this report and report back to the Board of Directors at the earliest opportunity as agreements are entered into.

**BACKGROUND**

At Executive Committee meeting #4/19 held on May 3, 2019, TRCA staff presented a report entitled 'Budget Composition – Improving Accountability and Transparency of TRCA's Budget Process'. The report foreshadowed the anticipated change to the budget process resulting from amendments to the Conservation Authorities Act, highlighting the expected impact for its partner municipalities.

Bill 108, More Homes, More Choice Act, 2019, received Royal Assent on June 6, 2019 and this legislation amended the Conservation Authorities Act and multiple Acts. Section 21.1(1) of the Conservation Authorities Act now clarifies that an authority's programs or services within its area of jurisdiction are limited to the following:

*21.1 (1) An authority shall provide the following programs or services within its area of jurisdiction:*

## Item 8.11.

1. A program or service that meets any of the following descriptions and that has been prescribed by the regulations:
  - i. Programs and services related to the risk of natural hazards.
  - ii. Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title.
  - iii. Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the Clean Water Act, 2006.
  - iv. Programs and services related to the authority's duties, functions and responsibilities under an Act prescribed by the regulations.
2. A program or service, other than a program or service described in paragraph 1, that has been prescribed by the regulations on or before the first anniversary of the day prescribed under clause 40 (3) (h). 2019, c. 9, Sched. 2, s. 4.
- (3) Programs and services required to be provided under subsections (1) and (2) shall be provided in accordance with such standards and requirements as may be set out in the regulations. 2019, c. 9, Sched. 2, s. 4.

Section 21.1.1 of the Conservation Authorities Act further clarifies that a conservation authority can provide additional programs or services to its partner municipalities, within the following parameters:

- (1) An authority may provide within its area of jurisdiction municipal programs and services that the authority agrees to provide on behalf of a municipality situated in whole or in part within its area of jurisdiction under a memorandum of understanding or such other agreement as may be entered into with the municipality in respect of the programs and services.
- (2) An authority shall make a memorandum of understanding or other agreement available to the public in such manner as may be determined in the memorandum or agreement.
- (3) An authority and a municipality who have entered into a memorandum of understanding or other agreement shall review the memorandum or agreement at such regular intervals as may be determined in the memorandum or agreement.
- (4) Programs and services that an authority agrees to provide on behalf of a municipality shall be provided in accordance with the terms and conditions set out in the memorandum of understanding or agreement.

### **RATIONALE**

Under the amendments to the Act, it is anticipated that numerous programs and services funded by partner municipality levies will now be governed through agreements, as they are not deemed mandatory programs and services. This will not necessarily change how municipalities choose to fund TRCA programs and services, but it will improve accountability and transparency regarding how these programs and services are governed.

### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:  
**Strategy 7 – Build partnerships and new business models**

### **DETAILS OF WORK TO BE DONE**

Upon receipt of direction from the Board of Directors, TRCA staff will reach out to the staff at all upper tier and lower tier partner municipalities, in order to start advancing the updated service level agreements, in accordance with the changes in the Conservation Authorities Act.

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The proposed structure of the service level agreements is that there would be a master agreement, setting out overarching terms and conditions governing all municipal programs and services provided by TRCA. The agreements would include schedules outlining specific terms and conditions for each of TRCA's service areas.

The overarching terms for the service level agreement would include:

- Duration of four years, with provision for extension of the agreement for additional four year terms.
- Requirement for the review of the agreement on an annual basis, with TRCA responsible for initiating and coordinating this annual review with senior staff of the partner municipality.
- Agreement would be available to the public on request.
- Municipality would advise TRCA in advance of proposed changes to approved budgets.
- Standard indemnity and insurance provisions, consistent with other service agreements that exist between TRCA and its municipalities.
- Provision for further details of specific programs and services to be set out in separate Letter Agreements, signed by authorized staff of each party, from time to time.

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**Date: June 18, 2019**

### Section III – Items for the Information of the Board

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Chandra Sharma, Director, Community Engagement and Outreach

**RE:** **METROLINX LAKESHORE EAST (LSE) RAIL CORRIDOR EXPANSION  
UPDATE AND DIRECTION ON PROPOSED CLOSURE OF CHESTERSON  
SHORES ACCESS**

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#### KEY ISSUE

Update to TRCA Board of Directors on the status of Metrolinx Lakeshore East Rail Corridor expansion arising from May 16, 2019, TRCA project update meeting held by Metrolinx with key stakeholders (Parks Canada, TRCA and City of Toronto).

#### RECOMMENDATION

**WHEREAS** staff have been informed that the Metrolinx East Corridor project has been cancelled and as such TRCA property requirements by Metrolinx will be substantially reduced and modified;

**WHEREAS** Metrolinx still plans to undertake minor upgrades and rehabilitation of existing track at key locations necessitating TRCA support including closure of the existing at grade Chesterson Shores access;

**THEREFORE IT IS RECOMMENDED THAT** staff continue to work with Metrolinx on the planning and design of necessary components resulting from this change including immediate priorities such as the replacement pedestrian crossing (tunnel) located approximately 450 m east of the existing Chesterton Shores at grade crossing east of Rouge Hill Go Station as well as projects related to existing Central Corridor contract (Central 2.0);

**AND THAT** TRCA only agree to the closure of the at grade Chesterson Shores crossing if a replacement crossing is provided by Metrolinx east of the existing site closer to Lawrence and Starspray Blvd. as part of their planned upgrades.

**AND FURTHER THAT** staff report back to the Board of Directors on any new updates and future approvals related to TRCA property.

#### BACKGROUND

TRCA staff has been working closely with the Metrolinx (Mx) project team on the above-noted project from the pre-Transit Project Assessment Process (TPAP) stage, through to the Detailed Design and Voluntary Project Review stages. Key components of the East Contract included the widening of the Highland Creek and the Rouge River bridges, the Petticoat Creek culvert rehabilitation and widening, the construction of approximately 3 km of retaining walls which will necessitate impacts to TRCA property and the Waterfront trail system, as well as the planned closure of the current Chesterton Shores at-grade trail crossing.



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On May 16, 2019, Mx staff informed key stakeholders including Parks Canada, City of Toronto and TRCA, Mx has decided to cancel the Lake Shore East (LSE) East Corridor Contract that has been on market since 2018. Mx has concluded that their current tracks and corridor can handle their Regional Express Rail (RER) program to facilitate the proposed 15 min all-day two-way service with minor upgrades and rehabilitation of assets at key locations. This requirement can be met without the proposed 3<sup>rd</sup> track. Thus, Mx will be issuing a tender for 30 year term track management, as this currently sits with Bombardier.

As a result, key project components including the need to widen the Rouge River bridge, build sections of the 3<sup>rd</sup> track or build the 3 km retaining walls are no longer needed. However, there is potential for updates at the Highland Creek bridge, and some rehabilitation at the Petticoat Creek culvert – more details to come from Mx.

In the coming months, Mx will be preparing a new contract, which now includes areas immediately east of the Rouge Hill GO Station going westwards. The Central Corridor Contract is currently on the market, and Mx will be issuing an addendum to notify bidders of changes to that contract. This updated approach results in sections of the previous East contract now being included in their original Central Corridor contract [Central corridor contract began at Beechgrove Drive (Mile 318.86) westwards to Scarborough Golf Club Road (Mile 321.97)]. Details of the specific works will be provided by Mx to stakeholders in the near future.

At the Rouge Hill GO station, a 3<sup>rd</sup> track will still be required immediately east of the station and these works will be included in the Central Corridor Contract.

At the May 16<sup>th</sup> meeting, Mx indicated that the closure of the Chesterton Shores at-grade crossing is still required. Mx is concerned that this closure should occur as soon as possible. Mx provided statistics indicating that there have been significant public safety issues at the location and is currently conducting a pedestrian report at Chesterton Shores, which is scheduled for completion end of May 2019 that will be shared with stakeholders. Mx is of the view that there is an immediate need to close the at grade crossing and a need to expedite a new tunnel crossing to replace the current at-grade access (the new tunnel proposed could be about 450m east of the station on Lawrence Avenue) near Starspray Blvd. At the May 16, 2019 meeting, Mx requested positions of TRCA and CoT on immediate closure of Chesterton Shore at Grade closing (with emergency vehicle) access. TRCA and CoT were requested to provide their position to Mx on Chesterton Shores at grade crossing closure. Mx is open to discussing alternatives for immediate closure until tunnel construction and what the options are. Mx expects City commitments on timing, approvals and access and financing of the new tunnel in the near future. To facilitate these changes, Mx staff will need TRCA Board of Directors approval for TRCA property and trail impacts. TRCA staff recommend that Mx commit to providing a replacement access point (pedestrian tunnel) and work out arrangements with the City, TRCA and Mx prior to closing the existing Chesterson Shores Waterfront trail access, which is heavily used by pedestrians and cyclists. TRCA staff have included a recommendation to address this request for TRCA position in this report.

Earlier in the TPAP process, Mx expressed interest in Public Realm investment of approximately \$300,000; however this needs to be re-evaluated and they (Mx) will begin to look at this internally. Central Corridor Contract (Central 2.0) work is anticipated to begin in Fall 2020.

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### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 12 – Facilitate a region-wide approach to sustainability**

**Strategy 7 – Build partnerships and new business models**

### **FINANCIAL DETAILS**

No financial implications at this time. Discussions with City of Toronto and Metrolinx are ongoing to determine funding arrangements.

### **DETAILS OF WORK TO BE DONE**

Mx to provide pedestrian report to TRCA for review at the end of May, a meeting to discuss the report findings will be scheduled soon. Metrolinx (Mx) requested a commitment from TRCA and City of Toronto (CoT) on funding of the new tunnel. TRCA and CoT will need to meet with Mx to determine what commitments to funding for pedestrian crossing are required and how these will be funded as there is no budget at City and TRCA for this work.

Highland Creek: One new track is still required on the north side of the bridge, but no south track will be required. The north-south trail closure will be required in the work area, as such closure and detour will remain part of the Mx plans. There will still be impacts to the Waterfront Trail system for works at Highland Creek and Mx indicated they will provide additional details to TRCA and CoT for their review soon.

As part of the new Central contract will now be called Central 2.0., Aecom will be reengaged as TRCA comments on 60% design have not been responded to.

TRCA property requirements will be reassessed in a new Property package. Negotiations on property matter will recommence as soon as new information on property requirements is provided.

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**Date: June 11, 2019**

### Section III – Items for the Information of the Board

**TO:** Chair and Members of the Board of Directors  
Meeting #6/19, Friday, June 21, 2019

**FROM:** Chandra Sharma, Director, Community Engagement and Outreach

**RE:** **WORLD RIVERS DAY ACTIVITIES**

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#### KEY ISSUE

To inform and engage the Board of Directors on a proposed TRCA celebration of World Rivers Day through outreach and engagement activities focusing on raising awareness about the creeks and rivers in TRCA's jurisdiction and communicating TRCA's accomplishments related to watershed management.

#### RECOMMENDATION

**WHEREAS the Regional Watershed Alliance resolved (RES.#R7/19) to commemorate and celebrate World Rivers Day through a campaign to raise awareness about our rivers and creeks and communicate TRCA accomplishments related to watershed management;**

**THEREFORE, BE IT RESOLVED THAT the Board of Directors receive the staff report on the proposed activities;**

**AND FURTHER THAT TRCA reach out to Conservation Ontario, the Ontario Ministries of Environment Conservation and Parks and Natural Resources and Forestry, TRCA partner municipalities and the Toronto and Region Conservation Foundation to inform them of the activities TRCA is planning in celebration of World Rivers Day and explore potential collaboration opportunities.**

#### BACKGROUND AND RATIONALE

On September 22, 2019, people from over 60 countries around the world will celebrate World Rivers Day, an international event with the goal of creating greater awareness around caring for our water resources and celebrating the many values of our waterways. World Rivers Day originated in British Columbia, where BC Rivers Day has been celebrated since 1980. The first World Rivers Day event was held in 2005 as a part of the UN Water For Life Decade (2005-2015) and the event has been growing steadily each year. Other World Rivers Day events from past years include a family-friendly river celebration event at Burnaby Village Museum in Burnaby BC, a volunteer clean-up of the River Freshney in Grimsby, England, and a "March for the River" in Dhaka, Bangladesh.

This year is the 15th annual World Rivers Day and an ideal opportunity for TRCA and the Regional Watershed Alliance to utilize existing events and platforms to deliver activities in celebration of World Rivers Day over the weeks leading up to September 22, 2019.

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For many years TRCA has implemented a variety of events across its jurisdiction. Events have included workshops and speaking series, conservation area events and large-scale signature watershed and waterfront events that help TRCA increase its presence in watershed communities, raise support, and help implement TRCA strategic priorities and objectives. TRCA events also provide an excellent opportunity to engage communities and build awareness and appreciation for the watersheds in our jurisdiction.

This year also marks the twentieth anniversary of the Humber River's designation as a Heritage River by the Canadian Heritage Rivers System. As a result, TRCA is implementing a year-long celebration plan for this anniversary, culminating in the signature event, Humber by Canoe, on September 8, 2019. This is one example of an opportunity to combine existing TRCA events with World Rivers Day activities. TRCA also undertakes community engagement and outreach utilizing other approaches, such as interactive online platforms, social media, displays, exhibits and newsletters.

TRCA has also conducted decades of work improving the health of its watersheds and the waterfront, all achievements worthy of highlighting as part of World Rivers Day celebrations. This work has included monitoring and restoring the rivers and creeks in TRCA's jurisdiction, building trails, steering major projects through to completion, and developing education and engagement initiatives for residents, businesses, schools, municipalities and other audiences. Furthermore, through visits to conservation areas, recreation and other forms of participation in TRCA initiatives, residents and visitors have been given an opportunity to learn about and experience the rivers and creeks within TRCA's jurisdiction.

A proposed series of activities for TRCA's celebration of World Rivers Day was presented at the Regional Watershed Alliance meeting on May 22, 2019 (Meeting #2/19). The Regional Watershed Alliance provided their input to the proposed activities and the following motion (RES.#R7/19) was carried:

*WHEREAS World Rivers Day is a celebration of the world's waterways and is observed by over 60 countries;*

*AND WHEREAS TRCA's jurisdiction spans nine rivers and watersheds across the region and contains a population of over 3.5 million people;*

*AND WHEREAS TRCA has undertaken multiple initiatives over its history to improve the health of the watersheds within its jurisdiction and to connect the public with these rivers and creeks, and in 2019 TRCA is engaged in a year-long celebration to recognize the 20<sup>th</sup> anniversary of the Humber River's Heritage Designation;*

*THEREFORE let it be proposed that a TRCA outreach and engagement campaign for World Rivers Day 2019 be received for Regional Watershed Alliance members' input;*

*THAT the final plan for proposed World River Day activities be shared with members of the RWA and based on any input received be finalized and presented to the TRCA Board of Directors;*

*AND FURTHER THAT Regional Watershed Alliance members consider ways in which*

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*they can support TRCA's World Rivers Day campaign through their organizations and networks and through the TRCF Look After Where You Live Program.*

### PRELIMINARY DETAILS

Staff are proposing to develop a series of outreach and engagement activities to celebrate the 15<sup>th</sup> annual World Rivers Day, with a focus on highlighting the stories of our nine rivers and creeks. World Rivers Day also presents an opportunity to:

- a) commemorate the work that TRCA has done, and continues to do, to improve the health of our watersheds and waterfront, as well as the connection that residents, visitors and other audiences have with them;
- b) promote major accomplishments highlighted in TRCA 2018 Annual Report to be published in 2019;
- c) create opportunities for individual and corporate donations towards TRCA watershed protection and enhancement activities.

#### Activities:

In addition to leveraging existing TRCA events listed below, staff are proposing engagement activities using online platforms and other media leading up to World Rivers Day. These activities include leveraging TRCA's Your Say page (<https://yoursay.ca/>), a social media campaign, a series of news articles and/or other approaches to solicit and share stories about TRCA's nine rivers and creeks. Some key activities may include:

- 1. Compile existing content on TRCA rivers and creeks and craft key messages. Ensure the Humber River continues to be profiled as a Canadian Heritage River;
- 2. Solicit local stories from the public about their rivers and creeks via the TRCA engagement platform Yoursay.ca ( natural heritage and Indigenous history)
- 3. Explore a photo display that can be exhibited at malls, community centres, local museums and other community hubs that utilizes both TRCA images and those of watershed residents and stakeholders to tell the story of our creeks and rivers;
- 4. Develop a series of blog, newsletters, social media postings and other stories;
- 5. Profile the accomplishments from TRCA's 2018 annual report, which is expected to be released shortly, to craft short river messages;
- 6. Promote stories and key messages via TRCA and partner channels and existing events throughout TRCA's jurisdiction;
- 7. Enhance watersheds/waterfront newsletters with special river content;
- 8. Utilize the World River Day social media network to promote TRCA work and best practices nationally and internationally;
- 9. Work with the Toronto Region Conservation Foundation to plan targeted outreach for fundraising.

#### Promotions through existing events:

As TRCA already has multiple community, watershed and waterfront events planned, including celebrations connected to the 20<sup>th</sup> anniversary of the Humber River's designation as a Canadian Heritage River, staff is seeking opportunities to align these festivities with World Rivers Day.

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### **Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan**

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

**Strategy 5 – Foster sustainable citizenship**

**Strategy 6 – Tell the story of the Toronto region**

### **FINANCIAL DETAILS**

It is anticipated that TRCA's 2019 World Rivers Day campaign will utilize existing funds for planned events, online resources and staff time so that no new funding will be required.

### **DETAILS OF WORK TO BE DONE**

Staff will develop content and activities for World Rivers Day celebrations in consultation with Toronto and Region Conservation Foundation in order to incorporate their Look After Where You Live Program. Staff will also work with the Watershed Engagement Working Group of the Regional Watershed Alliance to develop and carry out the World Rivers Day campaign.

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**Date: June 4, 2019**

## Item 11.1.

### 11.1. Draft TRCA Motion Endorsing City of Brampton Declaration of Climate Emergency

**FROM:** TRCA Board Member Rowena Santos

**WHEREAS the City of Brampton passed Resolution #C204-2019 at the City of Brampton Council Meeting on Wednesday, June 5, 2019 to issue a declaration of climate emergency, as follows:**

*WHEREAS climate change is currently responsible for billions of dollars in property damage worldwide, negatively affecting local and international economies;*

*WHEREAS climate change is threatening human civilization through rising sea levels, poor air quality, intense wild fires, heat events, unpredictable droughts and heavy rains;*

*WHEREAS research shows that the Great Lakes region is warming faster including southern Canada and the physical behaviour of the Great Lakes themselves, as the air warms, will hold more moisture, which will bring heavier winter snowstorms and spring rains – with more flooding in vulnerable areas;*

*WHEREAS international science and research supports that massive reductions in carbon emissions in the next 11 years is required to avoid devastating economic and societal loss;*

*WHEREAS all of the cities which have declared climate change a state of emergency, have established a goal of reducing Green House Gasses by 80 per cent by 2050, per the Paris Accord;*

*WHEREAS hundreds of local governments around the world have recognized the emergency that climate change represents and have accelerated their own actions, and call on provincial, state and national governments to strengthen action on climate change;*

*WHEREAS climate change brings a higher risk of extreme and disaster level weather such as tornadoes, windstorms, and ice storms as well as creating rapidly evolving weather patterns making planning for disaster response a more complex exercise than before requiring provision of more extensive resources than in the past;*

*WHEREAS frontline communities, those that have been affected by systemic vulnerabilities and inequities, are often at greater risk from the impacts of climate change and often have the fewest resources to respond and adapt;*

*WHEREAS at least 35 Canadian municipalities have declared a “climate emergency” - in Ontario these include Ottawa, Hamilton, Kingston, London, Burlington, St. Catharines, Halton Hills, Sudbury, and Prince Edward County;*

*WHEREAS climate change will impact human health through increased injury and death from extreme weather and temperature events and increased rates of vector-borne diseases from a climate more favourable to vectors;*

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*WHEREAS climate change contributes to poor air quality that will exacerbate respiratory and cardiovascular disease, and increased rates of illness through food and water contamination;*

*WHEREAS these health impacts from climate change will worsen health inequities by disproportionately affecting vulnerable groups such as seniors, children, those experiencing social or economic isolation, and those with chronic health conditions or disabilities or both;*

*WHEREAS the City of Brampton and Region of Peel have started planning and implementation of actions to adapt, mitigate, and prevent further damage caused by climate change to include the following:*

- *Peel Community Climate Change Partnership (Brampton, Mississauga, Caledon, Peel, TRCA, CVC) was established and has committed to focused collective action to combat priority climate change impacts*
- *Peel Public Health Air Quality Modelling Project*
- *Peel renewable energy generated from biogas at the Clarkson waste water treatment plan equal to 12,000,000 Kwh of electricity annually, or 1,000 households per year*
- *Brampton 2040 Vision*
- *Grow green environment master plan*
- *Community energy and emission reduction plan (CEERP) to identify energy efficiency, green energy production, and Green House Gas emission targets and actions to achieve them*
- *Natural heritage and environmental management strategy*
- *Sustainable community program*
- *Transportation master plan*
- *Transit expansion*
- *Corporate energy plan*
- *Emergency management plan*
- *Urban forest management plan*
- *Green fleet strategy*
- *Peel flood resiliency strategy*
- *Etobicoke Creek flood protection*
- *Brampton storm water retrofit program, and erosion remediation and mitigation program*
- *Recognition as an industry leader in reducing Green House Gas emissions with the Brampton Transit Züm network saving more than 217,000 tonnes of CO<sub>2</sub>e from 2010-2018*
- *Brampton's energy management plan*
- *CVC's strategic network of 58 real-time environmental monitoring stations in the CVC (five in Brampton), updating flood plain and risk mapping to better understand, predict and respond to flooding, water quality threats, and low water levels*
- *CVC commitment to plant over one million trees (33,000 in Brampton), restoring 395 hectares of habitat and 16 kilometres of stream, managed 79 invasive species per year and acquired over 1000 acres of land (watershed wide) since 2008*



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- *City of Brampton and Sheridan College partnership to develop a comprehensive strategy for energy and carbon emissions reduction with goals to reduce at least 50 per cent of carbon emissions by 2041 and place Brampton firmly on track to meet 80 per cent Green House Gas reduction by 2050*
- *City of Brampton and Sheridan College aim to build on achievements of Sheridan's Integrated Energy and Climate Master Plan and Mission Zero initiatives to explore opportunities for city-scale district energy systems, retrofit of existing building stock and models for governance and oversight of climate mitigation systems.*

### **THEREFORE BE IT RESOLVED THAT:**

*1. The City of Brampton officially DECLARE A CLIMATE EMERGENCY for the purpose of aiming, framing and deepening the City of Brampton's commitment to the protection of our eco -systems, and our community from climate change;*

*2. Staff coordinate with relevant departments in other levels of government including but not limited to Environment and Climate Change Canada, Ministry of the Environment, Conservation and Parks, TRCA, CVC, Region of Peel and its Office of Climate Change and Peel Public Health, and local school boards, all plans related to climate change adaptation and mitigation including the Environmental Master Plan, Transportation Master Plan, CEERP, Vision 2040, flood protection and resiliency plans, stormwater management plans, Peel Public Health goals and Air Quality Modelling, Planning, et cetera and report back on recommendations for the City of Brampton, to achieve a climate change target of 80 per cent Green House Gas reduction by 2050, and;*

*3. Staff report back on: Federal, Provincial, Regional and other funding sources and/or partnership opportunities that support Brampton's initiatives to mitigate and adapt to the impacts of climate change; single use plastics; the related additional costs that may result; potential impacts on local businesses; and measures of current emissions.*

**AND WHEREAS Toronto and Region Conservation Authority (TRCA) undertakes numerous initiatives related to climate change mitigation and adaptation in support of the City of Brampton, including the following:**

- **Downtown Brampton Flood Protection Environmental Assessment**
- **Bramalea SNAP and County Court SNAP and associated projects, including stormwater bioretention prices, a retrofit of the Upper nine stormwater management pond, street greening initiatives and tree plantings and a vulnerability assessment and adaptation plan**
- **Restoration activities and plans for sites in Brampton, including Claireville Conservation Area, Heart Lake Conservation Area, the City's Riverstone Golf Course property and others**
- **Community-based Restoration Events to engage residents, businesses, schools and other groups in increasing tree cover and native vegetation, as well as cleaning up waste and plastics**
- **Partners in Project Green support of businesses to help them achieve energy and water efficiency, implement electric vehicle charging stations, reduce waste, develop opportunities in the circular economy, become more resilient and engage employees and customers**

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- **Leading the Green Natural Infrastructure Strategy of the Peel Climate Change Partnership, including increasing tree planning efforts in priority heat vulnerable areas and developing urban forest best practice manuals**
- **Creating an inventory of TRCA's plastics-related initiatives and research to complement work undertaken by partner municipalities**

**THEREFORE BE IT RESOLVED THAT TRCA's Board of Directors endorses City of Brampton Resolution #C204-2019;**

**AND FURTHER THAT TRCA staff continue to work with the City of Brampton to support the goals and recommendations emerging from the City's declaration of climate emergency, as well as continue to deliver and develop TRCA's climate change mitigation and adaptation initiatives.**