Toronto and Region Conservation Authority

Board of Directors Meeting
Revised Agenda

June 25, 2021

9:30 A.M.

The meeting will be conducted via a video conference

Members of the public may view the livestream at the following link:

https://video.isilive.ca/trca/live.html

Pages

1. ACKNOWLEDGEMENT OF INDIGENOUS TERRITORY

2. MINUTES OF MEETING HELD ON MAY 28, 2021

   Meeting Minutes Link

   (May 28, 2021 Closed Session Minutes will be circulated to Board Members separately)

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

4. DELEGATIONS

   4.1. Mr. John Carley, Co-Chair, Friends of the Spit, in regard to item 7.10 – Tommy Thompson Park Update

5. PRESENTATIONS

6. CORRESPONDENCE

6.1.	*A letter dated June 22, 2021, from Mr. John Carley, Co-Chair, Friends of the Spit, in regard to item 7.10 - Tommy Thompson Park Update*	*9*
6.2.	*An email dated June 17, 2021, from Mr. Jim Robb, Friends of the Rouge Watershed, in regard to the Rouge National Park Boardwalk Proposal*	*13*

7. SECTION I - ITEMS FOR BOARD OF DIRECTORS ACTION

7.1. APPLICATIONS FOR PERMITS PURSUANT TO S.28.0.1 OF THE CONSERVATION AUTHORITIES ACT (MINISTER'S ZONING ORDER, ONTARIO REGULATION 698/20) 25

CFN 64727 requesting permission for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses pursuant to Ontario Regulation 166/06, 1577 to 1621 Major Mackenzie Drive East, Ontario (Part Lot 19 & Part W ½ Lot 20, Concession 3, City of Richmond Hill, Regional Municipality of York) by Montagna Capital Inc.

7.2. MEMORANDUM OF UNDERSTANDING WITH CITY OF PICKERING FOR ACQUISITIONS AND DISPOSITIONS NEAR FRENCHMAN'S BAY IN SUPPORT OF WATERFRONT TRAIL AND SHORELINE RESTORATION OBJECTIVES 33

Disposition of 805 & 809 St. Martins Drive & acquisition of portions of 501 Marksbury from the City of Pickering

7.3. MEMORANDUM OF UNDERSTANDING WITH INFRASTRUCTURE ONTARIO 36

7.4. DELEGATED AUTHORITY TO AWARD VENDOR OF RECORD ARRANGEMENTS FOR LAND USE PLANNING AND APPRAISAL SERVICES 40

7.5. DELEGATED AUTHORITY TO AWARD CONTRACT 10033033 FOR CLAIREVILLE CONSERVATION AREA WATERMAIN REPLACEMENT PROJECT 43

7.6. DELEGATED AUTHORITY TO AWARD CONTRACT 10035829 AND 10035830 FOR SUPPLY AND DELIVERY OF ARMOUR STONE TO ASHBRIDGES BAY TREATMENT PLANT LANDFORM PROJECT 45

RFT No. 10035829, 10035830

7.7. DELEGATED AUTHORITY TO AWARD CONTRACT 10035673 FOR CREEK WETLAND AND TRAILHEAD IMPROVEMENTS PROJECT 48

Request for Delegated Authority

7.8. DELEGATED AUTHORITY TO AWARD REQUEST FOR TENDER FOR CONSTRUCTION OF HIGHLAND CREEK MULTI-USE TRAIL, PHASE 2 FOR THE MEADOWAY 54

7.9. APPROVAL IN PRINCIPLE OF THE ALUS PEEL PILOT PROJECT 60

7.10. TOMMY THOMPSON PARK UPDATE 64

7.11. DELEGATED AUTHORITY TO UPDATE THE FINANCE AGREEMENT FOR THE NEW ADMINISTRATIVE OFFICE BUILDING PROJECT *92*

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

8.1. UPDATE ON MEMORANDUMS OF UNDERSTANDING AND SERVICE LEVEL AGREEMENTS WITH MUNICIPALITIES 94

8.2. MICROSOFT TEAMS VIDEO CONFERENCING SOLUTION 99
Statement of Interest: Strategic Business Planning Policy

8.3. FLOOD EMERGENCY MANAGEMENT ANNUAL UPDATE 101
Overview of TRCA activities in flood forecasting and warning, flood response planning, municipal emergency management and associated outreach activities

8.4. DISPERSAL OF FUNERAL ASHES IN WATERCOURSES 109

8.5. UPDATE ON THE AWARDED CONTRACT FOR MULTI-FACTOR AUTHENTICATION UNDER TRCA'S VENDOR OF RECORD ARRANGEMENT WITH CDW CANADA 116

8.6. TORONTO AND REGION CONSERVATION AUTHORITY'S NEW ADMINISTRATIVE OFFICE BUILDING PROJECT 118

9. MATERIAL FROM EXECUTIVE COMMITTEE MEETING HELD ON JUNE 11, 2021
Meeting Minutes Link

9.1. SECTION I - ITEMS FOR BOARD OF DIRECTORS ACTION

9.1.1. 2020 AUDITED FINANCIAL STATEMENTS
Approval of Financial Statements. The 2020 audited financial statements are recommended for approval.

(*Executive Committee RES.#B57/21*)
PDF Page 3/196

9.1.2. REGIONAL MUNICIPALITY OF YORK
Request from the Regional Municipality of York for a Permanent Easement on Toronto and Region Conservation Authority-owned Lands required for expansion of existing access easement, City of Vaughan, Regional Municipality of York, Humber River Watershed (CFN 32987)

(*Executive Committee RES.#B58/21*)
PDF Page 66/196

9.1.3. CITY OF VAUGHAN
Request from the City of Vaughan for a Permanent Easement of Toronto and Region Conservation Authority-owned Lands Required for a Sewer Diversion Project, City of Vaughan, Regional Municipality of York, Don River Watershed (CFN 65164)

(*Executive Committee RES.#B59/21*)
PDF Page 71/196

9.1.4. BELL CANADA

Receipt of a request from Bell Canada, for a permanent easement required to relocate existing communication conduits, located south of Adelaide Street East and west of the Don River, municipally known as 155 Bayview Avenue, in the City of Toronto, Don River watershed (CFN 60729).

(*Executive Committee RES.#B60/21*)
PDF Page 75/196

9.1.5. REQUEST FOR PERMANENT EASEMENT (METROLINX)

Receipt of a request from Metrolinx for a permanent easement required for the construction of a culvert extension for the Lake Shore East – Central Corridor Go Expansion Project, located at Port Union Waterfront Trail, south of Duthie Street and east of Port Union Road, in the City of Toronto, Lake Ontario Waterfront (CFN 65103).

(*Executive Committee RES.#B61/21*)
PDF Page 80/196

9.1.6. REGIONAL MUNICIPALITY OF YORK

Receipt of a request from the Regional Municipality of York, for a conveyance of Toronto and Region Conservation Authority-owned lands located west side of Pine Valley Drive and north of Teston Road, municipally known as 10780 Pine Valley Drive, in the City of Vaughan, Regional Municipality of York, required for the Teston Road Project, Humber River watershed (CFN 65165).

(*Executive Committee RES.#B62/21*)
PDF Page 84/196

9.1.7. CITY OF TORONTO

Receipt of a request from the City of Toronto, for a conveyance of Toronto and Region Conservation Authority-owned lands located west of Meadowvale Road and south of Old Finch Avenue, municipally known as 2000 Meadowvale Road, in the City of Toronto, required for the Community Conservation Campus, Rouge River watershed (CFN 65105).

(*Executive Committee RES.#B63/21*)
PDF Page 88/196

9.1.8. DELEGATED AUTHORITY TO DISPOSE OF LAND

Request from Metrolinx for Disposition of Toronto and Region Conservation Authority-owned Lands Required for the Construction of Traction Power Substation (TPSS) Ductbanks for the Finch West Light Rail Transit (FWLRT) Project, City of Toronto, Humber River Watershed (CFN 65248). Delegated authority for disposition of property located south of Humber Humber College Boulevard, West of Highway 27, in the City of Toronto, Humber River watershed.

(*Executive Committee RES.#B64/21*)
PDF Page 93/196

9.1.9. EXTENSION OF VENDORS OF RECORD ARRANGEMENT FOR RENTAL OF CONSTRUCTION EQUIPMENT FROM AUGUST 1, 2021 TO AUGUST 1, 2022

Extension of Contract No. 10033257 for a Vendors of Record (VOR) arrangement for rental of construction equipment from August 1, 2021 to August 1, 2022.

(*Executive Committee RES.#B65/21*)
PDF Page 97/196

9.1.10. REQUEST FOR TENDER FOR SUPPLY AND DELIVERY OF AGGREGATE FOR THE GIBRALTAR POINT EROSION CONTROL PROJECT

Award of Request for Tender (RFT) No.#10036007 for supply and delivery of 17,600 Tonnes of medium-coarse sand (0.5-2.0mm) and 37,400 Tonnes of fine sand (0.1-0.25mm) for the creation of a Sand Dune as part of the Gibraltar Point Erosion Control Project.

(*Executive Committee RES.#B66/21*)
PDF Page 100/196

9.1.11. REQUEST FOR TENDER FOR SUPPLY AND DELIVERY OF 100-200MM COBBLE STONE TO JIM TOVEY LAKEVIEW CONSERVATION AREA PROJECT- CENTRAL BEACH

Award of Request for Tender (RFT) No. 10035844, for the Supply and Delivery of 100-200mm Cobble Stone Material to Jim Tovey Lakeview Conservation Area Project.

(*Executive Committee RES.#B67/21*)
PDF Page 104/196

9.1.12. REQUEST TO ENTER INTO SINGLE SOURCE AGREEMENT WITH PORTS TORONTO FOR EMERGENCY DREDGING OF KEATING CHANNEL

Limited tendering procurement of Ports Toronto dredging services. Approval to enter into a single source agreement with Ports Toronto (formally Toronto Port Authority) to complete scoped dredging of Keating Channel in the City of Toronto.

(*Executive Committee RES.#B68/21*)
PDF Page 112/196

9.2. SECTION II - ITEMS FOR EXECUTIVE ACTION (FOR THE INFORMATION OF THE BOARD)

9.2.1. APPLICATIONS FOR PERMITS PURSUANT TO S.28.0.1 OF THE CONSERVATION AUTHORITIES ACT (MINISTER'S ZONING ORDER, ONTARIO REGULATION 644/20)

CFN 65065 requesting permission for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses pursuant to Ontario Regulation 166/06, 11120 Weston Road, Vaughan, Ontario (Lot 28, Concession 6, City of Vaughan, Regional Municipality of York) by Block 41 - 28E Developments.

CFN 65113 requesting permission for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses pursuant to Ontario Regulation 166/06, 10970 Weston Road, Vaughan, Ontario (Lot 27, Concession 6, City of Vaughan, Regional Municipality of York) by Block 41 - 1212763 Ontario Limited.

Issuance of permission pursuant to Section 28.0.1 of the Conservation Authorities Act to remove and/or alter Provincially Significant Wetlands (PSWs) and unevaluated wetlands, and alter valley corridors and associated floodplain, to facilitate topsoil stripping, rough grading, and the construction of temporary sediment ponds in preparation of residential development within Block 41, at 11120 and 10970 Weston Road, in the City of Vaughan, Region of York.

(Executive Committee RES.#B69/21)
PDF Page 115/196

9.2.2. REQUEST FOR TENDER FOR SUPPLY AND DELIVERY OF VARIOUS AGGREGATES TO JIM TOVEY LAKEVIEW CONSERVATION AREA PROJECT- CENTRAL ISLAND

Award of Request for Tender (RFT) No. 10035839, and 10035841, for the Supply and Delivery of Various Aggregate Materials to Jim Tovey Lakeview Conservation Area Project.

(Executive Committee RES.#B70/21)
PDF Page 150/196

9.2.3. CLAIREVILLE CONSERVATION AREA INDIAN LINE CAMPGROUND DUMP STATION SEWAGE SYSTEM REPLACEMENT

Extension of Contract No.10033306 for General Contractor services for the replacement of the dump station wet well system servicing the Claireville Conservation Area Indian Line Campground in the City of Brampton, Region of Peel.

(Executive Committee RES.#B71/21)
PDF Page 158/196

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

9.3.1. 2021 INSURANCE PROGRAM UPDATE

Report summarizing Toronto and Region Conservation Authority's (TRCA) Insurance and Surety Programs.

(Executive Committee RES.#B72/21)
PDF Page 160/196

9.4. SECTION IV - ONTARIO REGULATION 166/06, AS AMENDED

Receipt of Ontario Regulation 166/06, as amended, for application 10.1 - 10.3, which were adopted or received the June 11, 2021 Executive Committee Meeting.
(Executive Committee RES.#B73/21, RES.#B74/21, RES.#B75/21)
PDF Page 164/196

9.5. JUNE 11, 2021 EXECUTIVE COMMITTEE CLOSED SESSION ITEMS

(Executive Committee RES.#B76/21)
PDF Page 196/196

(June 11, 2021 Closed Session Minutes will be circulated to Board Members separately)

9.5.1. 2021 LITIGATION SUMMARY

(Executive Committee RES.#B76/21)
PDF Page 143/143

(June 11, 2021 Closed Session Minutes will be circulated to Board Members separately)

10. MEMBER MOTIONS

10.1. A Notice of Motion dated June 25, 2021 from James Pasternak, Councillor, City of Toronto, in regard to a Request for Environmental Study of the Don River West *122*

11. CLOSED SESSION

(Closed Session reports will be circulated to Board Members separately)

11.1. EQUESTRIAN MANAGEMENT GROUP (EMG)

Pursuant to subsection C.4.(2)(l) of TRCA's Board of Directors Administrative By-Law, as the subject matter pertains to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of TRCA.

11.2. FORMER DINGLE SCHOOL HOUSE

Pursuant to subsection C.4.(2)(l) of TRCA's Board of Directors Administrative By-Law, as the subject matter pertains to a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of TRCA.

12. NEW BUSINESS

NEXT MEETING OF THE BOARD OF DIRECTORS TO BE HELD ON SEPTEMBER 24, 2021 AT 9:30 A.M. VIA VIDEOCONFERENCE

John MacKenzie, Chief Executive Officer

/dr

Friends of the Spit

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Toronto ON M4E 3V7

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22 June 2021

BY E-MAIL

Item 7.10 Tommy Thompson Park Update

Board of Directors Meeting, Toronto and Region Conservation Authority

Meeting of June 25, 2021

Comments from Friends of the Spit, June 22, 2021

Chair J. Innis, and Board members,

Thank you for the opportunity to comment on Item 7.10, Tommy Thompson Park Update.

Since 1977, our organization has been providing informed user-driven advocacy and commentary to all organizations with a stake in The Spit, which includes Tommy Thompson Park.

We commend the authors for a clear, concise, and thoughtful report. Overall, like the City's Tommy Thompson Park Update from a month earlier, it is a very positive report.

We thank the TRCA also for the acknowledgement and recognition of Friends of the Spit's decades-long advocacy for the Spit/ Tommy Thompson Park to be, and remain, a public urban wilderness.

Frankly, without Friends of the Spit's advocacy, we wouldn't be having this discussion. The Spit is unlike any other park on the Waterfront, and its history is unlike that of any other waterfront park. The Spit is what it is today because of our 44 years of advocacy – first, to gain access for the public; second, to shape and support the ecological imperative of the Master Plan and EA; third, to secure the boundaries at the north to Unwin Avenue; fourth, to see that continuing operations don't alter or whittle away the urban wilderness of the park; and fifth, to fend off any and all non-compatible uses that are proposed from time to time.

Specifically, the success of The Spit is due to a strong Nature-first ecological plan enshrined in the TRCA's Revised Master Plan and EA which was forged through extensive and sometimes exhausting public consultation, coupled with specific policy initiatives – most notably no motorized vehicles/ no pets - and a clear understanding of appropriate uses, which has lead to the successful, and popular, urban wilderness we see today.

A quick note about the Revised Master Plan and EA: it is a robust document, and must continue to be the basis for all decisions. Its principles must guide all Spit/TTP decisions. Activities or installations that could be perceived as privatizing or exclusionary of the public must not be considered.

Two examples of the positive impact of our organization on the creation of The Spit in its current form are: first, in 1996-1997, TEDCO was set to approve an 18-acre Golf driving range at the Baselands. This disastrous proposal met with strong opposition from Friends and our allies, and was defeated 3-2 at committee level. Council then rezoned the land to Gr, its current greenspace zoning. Without our concerted efforts, these ecologically valuable woods and meadows would have been lost.

The second example is that of stewardship: Friends published the first Bird Checklist, the first Plant Checklist, and published "Plant Communities of the Spit" authored by three U of T botanists who were Friends' members.

This past year and a half has, for Friends, been a time of highs and lows: the highs being the enormous increase in visitors who have come to love and enjoy the Spit's urban wilderness. This is in part because of the publicity from the book *Accidental Wilderness* and the CBC Nature of Things' programme of the same title, but mostly due to covid. The lows have been the struggle to prevent large commercial filming ventures on The Spit, and the struggle to see that the park is managed and well-protected while accepting this vast increase in users. All of this has been magnified by the pandemic.

[As an aside, we are pleased that the TRCA is now developing a filming policy jurisdiction-wide. We caution, though, that the policy cannot be one-size fits all. The entire Spit is an ESA, and, we believe, should not have commercial filming.]

For us, this increased attendance, and the afore-mentioned issues, has meant an increased and energized membership, with our numbers now exceeding the previous high of 1200 from the mid-80's.

This is all to say that our members love the Spit **as it is** - a public urban wilderness.

That branding -urban wilderness - used by the TRCA in all media to describe The Spit, does recognize, as does the Update report, the tensions that exist in making an ecological man-made wilderness accessible to the public, within a highly urbanized region.

The City's Update acknowledges this when it speaks of creating "a visitor experience plan that strikes the balance between public access and ecological integrity." We see this as being an on-going challenge, and we state that the park's ecological integrity should never be sacrificed. Public access has to fit the ecology, not the reverse. The Spit is not like any other City park, and its users will resist any attempt to make it like other parks. Those other parks have their place and function: they are different, and their functions should not be replicated at The Spit/TTP.

Turning to the Update's Recommendations, the first item, that of directing TRCA staff to participate in the TTP Joint Management Committee, is welcome news. A single managing entity will be more responsive and aware of the current and historic issues. With regard to the ultimate transfer of MNRF lands into Tommy Thompson Park, we are certain that with lots of goodwill, the complex ownership relationships and financial issues can be resolved to the public's benefit – to the end users' benefit.

The development of a three-year programme, to address the park issues noted in both the TRCA's and the City's Updates is also very welcome.

In the past, the Spit/TTP has thrived when agencies and people work with a light hand, and tread forward quietly and carefully. A coordinated and comprehensive approach to operations and maintenance, in light of the visitor experience, is crucial: this is one realm where the community and stakeholder consultation must influence the programme, to ensure that the ecological Nature-first approach is maintained. All decisions must be made through the lens of the Revised Master Plan.

Developing coordinated policy and enforcement approaches is essential and again, long-overdue. The inappropriate behaviour of a few can ruin the park rapidly if left unchecked. The Park must continue with its "No Pets" policy; and the Master Plan prohibition on private motorized vehicle access when the park is open must be upheld. Again, in all this, the community and stakeholders' advice will be important, and meaningful.

The proposed public and stakeholder consultation model employed will be crucial for The Spit's ongoing success. This model, and processes, must be robust and meaningful, and must be much more than just information sessions. The users have a great deal of knowledge of park uses and operations, and this, surely, can only assist the decisions of the Joint Management Committee.

In the past, the advisory committee and then the user group provided valuable input. A similar committee should be established, with diverse representation of users, with one caveat: ***That all members subscribe to the urban wilderness principles of the Revised Master Plan and EA as a basic requirement of committee membership.***

Finally, it is past time when the park should be shown the budgetary love it deserves. For decades, the park ran on a budgetary form of "Benign Neglect". Now, however, with the wonderful number of users, a budget must be established commensurate to the maintenance operations and enforcement need. That budget as outlined must provide all the basics of maintenance and

operations. For far too long, the park has been underfunded. Once the basic needs are met, we strongly suggest that the provision of a shuttle bus (or van) be budgeted. City Council had approved this shuttle bus but, to date, has not funded it. A funding model must be sought for this service. As well as providing a means for those with mobility challenges to venture further out onto the Spit, the shuttle will enable the yacht club members to dispense with their automobile access requests. (The Master Plan does allow for a park shuttle.)

In closing, The Spit/TTP **is** Toronto's internationally-famous park … it is known all over the world as the best example of a public urban wilderness on the doorstep of a metropolis, and, better still, it is now becoming very well-known to its own residents!

We at Friends of the Spit wish to, and expect to, continue to play a key role in the ongoing maturation of the Spit/Tommy Thompson Park. We look forward to our ongoing work with TRCA staff as they develop specific action plans. **We are here to help.**

Finally, Board members, as this Update's primary purpose was to indeed update you, we invite you to come on a socially-distanced walk on The Spit with us as your guides. *Walk with us, see The Spit/Tommy Thompson Park through our eyes, and let us help you discover the joys and beauties of Toronto's best place.*

Yours sincerely,

FRIENDS OF THE SPIT
per:

JOHN CARLEY, Co-Chair GARTH RILEY, Co-Chair

Celebrating 44 years: since 1977, Friends has been advocating for the entire Leslie Street Spit and Baselands to be a car-free Public Urban Wilderness.
Without Friends of the Spit advocacy, The Spit and Baselands would not exist as they do today: a wonderful urban wilderness, enjoyed by hundreds of thousands of visitors yearly.

Alisa Mahrova

From: Jim Robb <jimrobb@frw.ca>
Sent: Thursday, June 17, 2021 4:54 PM
To: John MacKenzie; Anil Wijesooriya; Laurie Nelson; Richard.ubbins@trca.ca; Jennifer Innis; Regional Councillor Jack Heath; Alisa Mahrova; Alisa Mahrova; ghighet@uxbridge.ca; councillor_perruzza@toronto.ca; Dipika Damerla; Councillor Fletcher; Jackson, Linda; Joanne.dies@ajax.ca; Alisa Mahrova; Alisa Mahrova; Michael Tolensky; Councillor McKelvie
Cc: [redacted]
Subject: Rouge National Park Boardwalk Proposal - Federal Breach of Ontario Canada RNUP Agreement and Serious Flooding, Ecological, Parking, Traffic, and Public Safety Liabilities
Attachments: 1 FRW Rouge Boardwalk Letter to Parks Canada June 17 2021 Final.pdf

Dear TRCA Board and Senior Staff:

Attached and below please find reasons for linking the Waterfront and Mast Trails **without building a Boardwalk through the Rouge Wetland and Floodplain – an area with *"extreme flooding and erosion"* liabilities and critical habitat for species at risk.** Parks Canada and the TRCA will create dangerous problems and precedents if the non-essential Rouge Boardwalk is built in the Provincially Significant Rouge River Wetland and Floodplain – a designated Environmentally Sensitive Area (ESA) and "***hazardous land***" area.

Ontario transferred its Rouge Park Lands (like the Rouge Wetland) to Parks Canada with a condition (2.09) which stipulated that Parks Canada would "meet or exceed" Ontario Conservation Laws and Policies. **Although the TRCA has a partnership with Parks Canada, and the TRCA wants federal funding for its good work, it would be a serious breach of your legal framework and public mandate, if the TRCA helps Parks Canada circumvent "common sense" floodplain and the hazardous land policies.**

We look forward to our reply to the issues raised in this Email and the attached letter to Parks Canada.

Hazardous Lands - Floodplain and Wetland Laws and Polices

Ontario's *Conservation Authorities Act* and Regulation 166 strictly limit development in floodplains, wetlands, valleys and shorelines. These areas are legally defined as "***Hazardous Lands***" due to *"flooding, erosion, dynamic beaches and unstable soil"*. With respect to developments like the Rouge Wetland Boardwalk, Toronto and Region Conservation Authority (TRCA) Policy 8.10.2 clearly states:

"new major recreational uses will not be permitted within hazardous lands, watercourses, wetlands or natural features".

This policy and other similar TRCA policies are designed to:

- ***prevent loss of life*** and ***minimize property damage*** *and social disruption.*
- *prevent ... alterations that affect the* ***control of flooding, pollution, erosion.***
- ***avoid public and private expenditure*** *for emergency operations, evacuation & restoration.*

Parks Canada and its collaborators will be circumventing these policies, and setting a bad example and a terrible precedent, if the Rouge Wetland and Floodplain Boardwalk is built.

Extreme Flooding and Erosion Risks

After record-breaking flooding damage in 2019, the Minister of Environment and Climate Change publicly stated: *"one-in-100-year floods are now happening every five years".* Whether you agree with this Minister McKenna statement or not, the evidence clearly indicates that Climate Change, urban growth and deforestation are increasing flooding frequencies, liabilities and costs.

Parks Canada's own website acknowledges the "***Extreme Flooding and Erosion Events***" in the Rouge Wetland and Floodplain. **Consequently, there will be serious agency, professional, political and economic risks**, if the several-million-dollar two-kilometre-long Rouge Boardwalk Trail is built within the Rouge River Floodplain and Provincially Significant Wetland. This location is:

1. Legally designated as a "*hazardous land*" area, known to have 3 to 5-metre-high floods.
2. A hazardous land area where major new recreational developments are not permitted.
3. A designated Environmentally Sensitive Area with critical habitat for species at risk.
4. An area surrounded by narrow residential roads with serious parking and traffic constraints.

A Scarborough Mirror Article (June 7, 2016) provided this historical account of flooding in the Rouge Wetland and Floodplain in October 1954 due to Hurricane Hazel:

"The water rose to a depth of five to seven metres ..."
"The West Point Crescent bridge was washed away"
"debris smashed against the narrowing banks near the [railway] bridge creating a dam".

Flood risks have increased since Hurricane Hazel due to climate change and the increased runoff from 100+ km^2 of additional urban development in the Rouge Watershed. The proposed Rouge Wetland Boardwalk and its southern Bridge and Plaza would create new floodplain obstructions in the immediate vicinity of the narrow Rouge River outlet to Lake Ontario at the VIA and GO Train railway bridge and embankment. These new obstructions would increase the risk of debris dams, elevated flood heights, and damaging torrential flows and erosion.

In terms of flooding, Parks Canada's own 2020 Project Feasibility Study by AECOM states:

*"**to build above the 100-year floodplain elevation, a raised boardwalk with a height of approximately 3.05 metres would be required in some locations**. … It was determined upon consultation with Parks Canada that a raised boardwalk above the 100-year floodplain elevation did not embody the visitor experience or aesthetic that is sought for the trail, and that **the technical implications of building such a high boardwalk were not feasible** …*

Dangerous Mischaracterization of Flooding Levels by Parks Canada Recently

The 2020 Project Feasibility Study concluded that it would **not be technically feasible or aesthetically desirable** to build the Boardwalk above the 3-metre-high 100-year flood level. The Superintendent of Rouge National Urban Park (RNUP) is ignoring these technical conclusions when he now says:

"100-year flood levels in the Rouge Wetland are closer to 3 feet (0.9 metre), not 3 metres. " (West Rouge Magazine, Spring)

"The boardwalk would be built in line with 100-year flood levels" (Parks Canada Letter to FRW, May 18, 2020)

This 3-foot flood level statement is dangerously misleading because it only refers to the gradual back-water flooding in the Rouge Wetland when Lake Ontario water levels are high. This statement imprudently ignores the dangerous 3-metre-high Rouge River torrential flood flows which can occur during a 1-in-100-year rainfall event. As Minister McKenna and scientists have observed, the 1-in-100-year flood of the 20th Century is becoming the 1-in-5-year to 1-in-25-year flood of the 21st Century due to climate change.

Hazardous Lands - Floodplain and Wetland Laws and Polices

With respect to developments like the Rouge Wetland Boardwalk, Toronto and Region Conservation Authority (TRCA) Policy 8.10.2 clearly states: … *"new major recreational uses will not be permitted within hazardous lands, watercourses, wetlands or natural features".* This policy and other similar TRCA policies are designed to:

- ***prevent loss of life* and *minimize property damage*** *and social disruption.*
- *prevent ... alterations that affect the* ***control of flooding, pollution, erosion****.*
- ***avoid public and private expenditure for emergency operations, evacuation & restoration****.*

Parks Canada and its collaborators will be circumventing these policies, and setting a bad example and a terrible precedent, if the Rouge Wetland and Floodplain Boardwalk is built.

Fencing Solves the Informal Trail Issue at a Fraction of the Boardwalk's Cost

Parks Canada pitches the Boardwalk as a solution to the many informal "social" trails in the Rouge Wetland. However, the informal social trails could be virtually eliminated by simply building fences across a few informal access points like the end of Island Road. Most of these informal trails are less than half a metre wide and they are mainly used by nearby residents, deer and other animals.

The fencing solution will cost thousands-of-dollars instead of the several-million-dollar cost of the non-essential Rouge Wetland Boardwalk. The fencing solution will save Millions-of-dollars which could be used to provide safe water supplies for Indigenous communities; affordable housing for those in need; and a Rouge Park shuttle bus to reduce parking and traffic problems in RNUP.

Ecological Integrity

Contrary to the *RNUP Act* and the *Species at Risk Act*, the Rouge Boardwalk Trail would cut a Provincially Significant Coastal Wetland in half for its entire 2 km length. Despite best efforts, the construction, operation and maintenance of this Boardwalk will fragment and disturb habitat for migratory birds and fish, and species at risk, such as Blanding's and Map Turtles and Least Bittern. Parks Canada websites acknowledges that building new trails can harm ecological integrity by fragmenting and disturbing sensitive habitats, like wetlands "*making them less able to support native plants and animals"* and making them susceptible to "*invasion by non-native species*".

Traffic and Parking

Rouge Beach and Wetland visitor numbers are comparable to Point Pelee National Park. The Rouge Beach and Wetland have only 120 parking lot spaces and Parks Canada wants to relocate 70. Point Pelee National Park has some 1,000

parking spots. On busy weekends, cars and pedestrians overflow onto narrow residential streets without sidewalks surrounding the Rouge Beach and Wetland. This increasingly dangerous public safety issue will be compounded, if Parks Canada builds a Boardwalk which will attract even more visitors to an area with serious over-capacity issues.

Managerial Priorities and Public Safety

The Rouge Boardwalk is a nightmare in the making in terms of community relations, public safety, and public liability. When agencies expand their empires with risky nonessential infrastructure, like the Rouge Wetland and Floodplain Boardwalk, they increase their managerial burden, costs and risks; and they increase the financial burden on taxpayers. Parks Canada should be prioritizing the safety, maintenance and improvement of existing RNUP Trails. The Mast and Vista Trails have unsafe rutting, many informal side trails, and rampant trampling in sensitive areas. Existing trail maintenance and improvements should take priority over the construction of a new Boardwalk in a Floodplain and a Wetland.

Alternative Ways to Connect the Waterfront Trail and Mast Trail

Fortunately, there are alternative ways to connect the Waterfront and Mast Trails with less cost, less risk, less parking and traffic problems, and less environmental intrusion, than building a Boardwalk through the Rouge Wetland and Floodplain. Alternatives which warrant further consideration include:

1. Shuttle buses from the Rouge Hill Go Station, with its 400 empty weekend parking spots, to the Rouge Beach / Wetland; the Glen Rouge Campground (Mast Trail); the planned RNUP Visitor Centre near the Toronto Zoo; and other RNUP trailheads.

2. Creation of a rail underpass east of the Rouge Hill Go Train Station to allow visitors to walk from the GO Train Station to the Waterfront Trail and along the Waterfront Trail to Rouge Beach.

3. Platforms, binoculars and on-line Wetland “critter” cameras which will allow visitors to view the wetland and its wildlife from a safe and respectful distance.

4. Guided canoe trips by Parks Canada on the Rouge River between the Waterfront Trail and the Glen Rouge Campground’s Mast Trail.

5. Utilization of existing roads outside of the wetland and the old Wynette Road allowance to access an existing trail which follows a terrace on the east side of the Rouge River to near Hwy 401 where a bridge could be built to connect with the Glen Rouge Campground.

Sincerely,

Jim Robb, for Friends of the Rouge Watershed

Phone: 647-891-9550
Email: jimrobb@frw.ca

Patrons of Friends of the Rouge Watershed: **Derek Lee**, former MP Scarborough Rouge River; Rathika Sitsabaiesan, former MP Scarborough Rouge River; **Lois James**, "Save the Rouge" founding member and Order of Canada Recipient; **Hon. David Peterson**, former Ontario Premier; **Hon. Raymond Cho**, MPP Scarborough North; **Hon. Gerry Phillips**, former MPP Scarborough Agincourt; **Hon. Alvin Curling**, former MPP Scarborough

Rouge River; **Joyce Trimmer**, former Mayor of Scarborough, posthumous; **Paul Harpley**, "Save the Rouge" founding member; **Bobbi Hunte**r, founding member of Greenpeace Executive.

Friends of the Rouge Watershed (FRW): Over the last three decades, Friends of the Rouge Watershed (FRW) have been leaders in the community-based campaigns which led to the creation of a 42 square kilometre Ontario Rouge Park, its subsequent evolution into a 79 square kilometre National Rouge Park, and the amendment of its legislation to prioritize ecological integrity. In 2016, FRW received the J.R. Dymond Award from Ontario Nature for our: "***tireless and inspirational role in the creation of Rouge National Park***" and "***exceptional work on the ground with stewardship and restoration projects.***"

June 17, 2021

Re: Proposed Rouge Wetland and Floodplain Boardwalk Trail - Serious Risks and Liabilities

To: Omar McDadi, Field Unit Superintendent, Rouge National Urban Park
Jeffery Sinibaldi, Senior Advisor, Corporate and Community Engagement

Dear Parks Canada:

After record-breaking flooding damage in 2019, the Minister of Environment and Climate Change publicly stated: *"one-in-100-year floods are now happening every five years".* Whether you agree with this statement by Minister McKenna or not, the evidence clearly indicates that Climate Change, urban growth and deforestation are increasing flooding frequencies, liabilities and costs.

Parks Canada's own website acknowledges the "***Extreme Flooding and Erosion Events***" in the Rouge Wetland and Floodplain. Consequently, there will be serious agency, professional, political and economic risks, if the several-million-dollar two-kilometre-long Rouge Boardwalk Trail is built within the Rouge River Floodplain and Provincially Significant Wetland. This location is:

1. Legally designated as a "*hazardous land*" area, known to have 3 to 5-metre-high floods.
2. A hazardous land area where major new recreational developments are not permitted.
3. A designated Environmentally Sensitive Area with critical habitat for species at risk.
4. An area surrounded by narrow residential roads with serious parking and traffic constraints.

A Scarborough Mirror Article (June 7, 2016) provided this historical account of flooding in the Rouge Wetland and Floodplain in October 1954 due to Hurricane Hazel:

"The water rose to a depth of five to seven metres ..."
"The West Point Crescent bridge was washed away"
"debris smashed against the narrowing banks near the [railway] bridge creating a dam".

Flood risks have increased since Hurricane Hazel due to climate change and the increased runoff from 100+ km^2 of additional urban development in the Rouge Watershed. The proposed Rouge Wetland Boardwalk and its southern Bridge and Plaza would create new floodplain obstructions in the immediate vicinity of the narrow Rouge River outlet to Lake Ontario at the VIA and GO Train railway bridge and embankment. These new obstructions would increase the risk of debris dams, elevated flood heights, and damaging torrential flows and erosion.

In terms of flooding, Parks Canada's own 2020 Project Feasibility Study by AECOM states:

> *"**to build above the 100-year floodplain elevation, a raised boardwalk with a height of approximately 3.05 metres would be required in some locations**. … It was determined upon consultation with Parks Canada that a raised boardwalk above the 100-year floodplain elevation did not embody the visitor experience or aesthetic that is sought for the trail, and that **the technical implications of building such a high boardwalk were not feasible** … As such, a boardwalk with a height of 0.5m minimum was determined to be the desired outcome, which will allow the boardwalk to stay above typical storms below the 25-year level but may require seasonal closures.*

FRW Patrons

Lois James, "Save the Rouge" founding member and Order of Canada Recipient

Hon. Raymond Cho MPP Scarborough North

Hon. David Peterson, former Ontario Premier

Hon. Gerry Phillips, former MPP Scarborough Agincourt

Hon. Alvin Curling, former MPP Scarborough Rouge River

Derek Lee, former MP Scarborough Rouge River

Rathika Sitsabaiesan, former MP Scarborough Rouge River

Joyce Trimmer, former Mayor of Scarborough, posthumous

Paul Harpley, "Save the Rouge" founding member

Bobbi Hunter, founding member of Greenpeace Executive

Hazardous Lands - Floodplain and Wetland Laws and Polices

Ontario's *Conservation Authorities Act* and Regulation 166 strictly limit development in floodplains, wetlands, valleys and shorelines. These areas are legally defined as "*Hazardous Lands*" due to "*flooding, erosion, dynamic beaches and unstable soil".* During the creation of Rouge National Urban Park (RNUP), Canada agreed to "meet or exceed" Ontario Conservation Plans and Policies.

With respect to developments like the Rouge Wetland Boardwalk, Toronto and Region Conservation Authority (TRCA) Policy 8.10.2 clearly states: … ***"new major recreational uses will not be permitted within hazardous lands, watercourses, wetlands or natural features"***. This policy and other similar TRCA policies are designed to:

- ***prevent loss of life*** **and** ***minimize property damage*** *and social disruption.*
- *prevent ... alterations that affect the* ***control of flooding, pollution, erosion****.*
- ***avoid public and private expenditure for emergency operations, evacuation & restoration****.*

Parks Canada and its collaborators will be circumventing these policies, and setting a bad example and a terrible precedent, if the Rouge Wetland and Floodplain Boardwalk is built.

Dangerous Mischaracterization of Flooding Levels by Parks Canada Recently

The 2020 Project Feasibility Study concluded that it would not be technically feasible or aesthetically desirable to build the Boardwalk above the 3-metre-high 100-year flood level. The Superintendent of Rouge National Urban Park (RNUP) is ignoring these technical conclusions when he now says:

> "*100-year flood levels in the Rouge Wetland are closer to 3 feet (0.9 metre), not 3 metres. "*
>
> *"The boardwalk would be built in line with 100-year flood levels*"

This 3-foot flood level statement is dangerously misleading because it only refers to the gradual back-water flooding in the Rouge Wetland when Lake Ontario water levels are high. This statement imprudently ignores the dangerous 3-metre-high Rouge River torrential flood flows which occur during a 1-in-100-year rainfall event. As Minister McKenna and scientists have observed, the 1-in-100-year flood of the 20th Century is becoming the 1-in-5-year to 1-in-25-year flood of the 21st Century due to climate change.

After record-breaking flooding in 2019, the Ontario Government (OMNRF) commissioned an independent review which called for increased safety margins to address the limitations of flood modelling and management and the impacts of Climate Change. Parks Canada, AECOM and TRCA will be ignoring this call for greater safety margins if they:

- fail to prudently include the cumulative effects of rainfall and snowmelt, debris and ice dams, and high Lake Ontario water levels, within flood level predictions.
- fail to provide an accurate north-south cross-section of the Boardwalk Trail with the height of the flood deck and prudent predictions for flood levels for 1-in-25-year, 1-in-100-year, and regional storms.

- fail to acknowledge that the 1-in-100-year storm of the 20th century will likely occur at much shorter intervals in the 21st Century due to Climate Change.

The reality of these points was evident on January 13th, 2020, when the Rouge River overflowed its 2.2-metre-high riverbanks south of the Glen Rouge Campground after 7.7 cm of rain over 48 hours and concurrent snowmelt. This rainfall approximates a 1-in-20-year, two-day event. The Rouge River's banks are lower than 2 metres along the southern half of the proposed Rouge Wetland and Floodplain Boardwalk. Therefore, this 2.2+ metre-high river flood, and the ice and trees it entrained, would have flooded and damaged the southern part of the proposed Boardwalk. This recent real-world 1-in-20-year flood demonstrates the shocking inaccuracy of Parks Canada's statement that the 1-in-100-year flood in the Rouge Wetland is about 1-metre-high (3 feet).

High Lake Ontario Water Levels Increase Flooding Risks in the Rouge River Floodplain and Wetland

Over the last century, annual precipitation has increased by nearly 10% in the Great Lakes region and more large precipitation events are occurring. In June of both 2017 and 2019, Lake Ontario water levels reached 1-in-100-year levels of 80+ cm above-average. Since it is located beside Lake Ontario, water levels also rose more than 80 cm in the Rouge Wetland and lower Rouge River. High Lake Ontario water levels create a backwater effect which further increases water levels in the lower Rouge River when a concurrent river flood occurs. This increases the likelihood of over-bank flows and damage to the proposed Rouge Wetland and Floodplain Boardwalk.

Rouge Beach and Wetland – Serious Parking, Traffic, Public Safety and Carrying Capacity Issues

The proposed Rouge Wetland and Floodplain Boardwalk shows a disappointing lack of foresight with respect to the carrying capacity issues which will be crucial to the effective management of RNUP. Parks Canada has over-promoted the Rouge Beach and Wetland as a visitor destination, despite known parking, traffic, public safety and neighborhood problems and constraints, at this location.

Rouge Beach and Wetland visitor numbers are comparable to Point Pelee National Park. The Rouge Beach and Wetland have only 120 parking lot spaces and Parks Canada wants to relocate 70. Point Pelee National Park has some 1,000 parking spots. On busy weekends, cars and pedestrians overflow onto narrow residential streets without sidewalks surrounding the Rouge Beach and Wetland. This increasingly dangerous public safety issue will be compounded, if Parks Canada builds a Boardwalk which will attract even more visitors to an area with serious over-capacity issues.

Managerial Priorities and Public Safety

The Rouge Boardwalk is a nightmare in the making in terms of community relations, public safety, and public liability. When agencies expand their empires with risky nonessential infrastructure, like the Rouge Wetland and Floodplain Boardwalk, they increase their managerial burden, costs and risks; and they increase the financial burden on taxpayers. Parks Canada should be prioritizing the safety, maintenance and improvement of existing RNUP Trails. The Mast and Vista Trails have unsafe rutting, many informal side trails, and rampant trampling in sensitive areas. Existing trail maintenance and improvements should take priority over the construction of a new Boardwalk in a Floodplain and a Wetland.

Fencing Solves the Informal Trail Issue at a Fraction of the Boardwalk's Cost

Parks Canada pitches the Boardwalk as a solution to the many informal "social" trails in the Rouge Wetland. However, the informal social trails could be virtually eliminated by simply building fences across a few informal access points like the end of Island Road. Most of these informal trails are less than half a metre wide and they are mainly used by nearby residents, deer and other animals.

The fencing solution will cost thousands-of-dollars instead of the several-million-dollar cost of the non-essential Rouge Wetland Boardwalk. The fencing solution will save Millions-of-dollars which could be used to provide safe water supplies for Indigenous communities; affordable housing for those in need; and a Rouge Park shuttle bus to reduce parking and traffic problems in RNUP.

Threats to Ecological Integrity and Species at Risk

Contrary to the *RNUP Act* and the *Species at Risk Act*, the Rouge Boardwalk Trail would cut a Provincially Significant Coastal Wetland in half for its entire 2 km length. Despite best efforts, the construction, operation and maintenance of this Boardwalk will fragment and disturb habitat for migratory birds and fish, and species at risk, such as Blanding's and Map Turtles and Least Bittern.

Parks Canada websites acknowledges that building new trails can harm ecological integrity by fragmenting and disturbing sensitive habitats, like wetlands "*making them less able to support native plants and animals"* and making them susceptible to "*invasion by non-native species*".

Scientists have radio-tracked endangered Blanding's Turtles throughout the Rouge Wetland where the Boardwalk is proposed. The Natural Values Report which was prepared for Parks Canada states:

> *"The Rouge Marsh is known to support a small population of federally Endangered Blanding's Turtles* ***… The entire Rouge Marsh and adjacent area is considered as critical habitat for Blanding's Turtle****".*

The Boardwalk Trail would disturb this "critical habitat" over an area several metres wide and more than two-kilometres-long through the entire length of the Rouge Wetland. Hundreds of helical posts would be drilled into the bottomland mud and upland sands where three at-risk turtle species hibernate in the late fall and winter, and lay their eggs in late spring. Since there only a few breeding adults, the loss of just one adult or nest could cause a local population collapse.

Heavy transport vehicles and cranes will be needed to build the three Boardwalk Trail Bridges (42 metre, 42 metre and 26 metre spans) over the Rouge River and Marsh. Due to the large size and turning radius of this heavy equipment, tree and vegetation removal and ground trampling is inevitable. When a 100 metre Boardwalk lookout was built two decades ago, the crane tipped and discharged diesel fuel and oil into the Rouge Wetland.

Least Bittern feed and nest in the Rouge Wetland and they have been sighted again in 2021 during the breeding season. Sensitive species, like the Least bittern, could be frightened-away by the ongoing visual and noise impacts associated with thousands of people walking on a Boardwalk in the middle of a Provincially Significant Wetland.

Increasing Parks Canada's Climate Change and Ecological Footprint

Building a Boardwalk in an area with "*extreme flooding and erosion events*" and several species at risk, will increase, rather than mitigate, our growing Climate Change and Biodiversity challenges. The Rouge Wetland and Floodplain Boardwalk will increase Parks Canada's carbon emissions due to the use of some 200,000 board feet of wood and thousands of metres of steel support posts and beams. This carbon footprint will continue due to routine deck replacement every 15 years and expensive repairs after large flooding events. In addition, the Boardwalk's pressure-treated wood will slowly rot and release toxic copper compounds which harm fish and wildlife.

Alternative Ways to Connect the Waterfront Trail and Mast Trail

Fortunately, there are alternative ways to connect the Waterfront and Mast Trails with less cost, less risk, less parking and traffic problems, and less environmental intrusion, than building a Boardwalk through the Rouge Wetland and Floodplain. Alternatives which warrant further consideration include:

1. Shuttle buses from the Rouge Hill Go Station, with its 400 empty weekend parking spots, to the Rouge Beach / Wetland; the Glen Rouge Campground (Mast Trail); the planned RNUP Visitor Centre near the Toronto Zoo; and other RNUP Trailheads.

2. Creation of a rail underpass east of the Rouge Hill Go Train Station to allow visitors to walk from the GO Train Station to the Waterfront Trail and along the Waterfront Trail to Rouge Beach.

3. Platforms, binoculars and on-line Wetland "critter" cameras which will allow visitors to view the wetland and its wildlife from a safe and respectful distance.

4. Guided canoe trips by Parks Canada on the Rouge River between the Waterfront Trail and the Glen Rouge Campground's Mast Trail.

5. Utilization of existing roads outside of the wetland and the old Wynette Road allowance to access an existing trail which follows a terrace on the east side of the Rouge River to near Hwy 401 where a bridge could be built to connect with the Glen Rouge Campground.

Conclusion

Park's Canada should implement the alternative ways to link the Waterfront and Mast Trails without building a Boardwalk through the Rouge Wetland and Floodplain – an area with "extreme flooding and erosion" risks and critical habitat for species at risk. Parks Canada will damage its reputation and create a dangerous precedent, if it builds the non-essential Rouge Boardwalk in the Provincially Significant Rouge River Wetland and Floodplain – a designated Environmentally Sensitive Area (ESA).

Over the last three decades, Friends of the Rouge Watershed has helped to create the vision of a Rouge National Park which is accessible to millions of Canadians by transit. Public access should be safe, low-impact and compatible with environmental, social and managerial carrying capacities. The proposed Rouge Wetland and Floodplain Boardwalk Trail fails on all these points.

The Federal Government and Parks Canada should be prioritizing the reforestation of the 25-km-long Rouge Park and Greenbelt "main ecological corridor" between Lake Ontario and the Oak Ridges Moraine. Restoring this main ecological corridor will address the United Nations "Decade of Ecosystem Restoration" challenge; it will combat climate change, pollution and flooding; it will prioritize ecological integrity; and it will spread increasing visitor use over a much larger area. The delayed reforestation of this "main ecological corridor" is contributing to the serious over-capacity issues in the environmentally sensitive areas of the lower Rouge Valley (e.g., Mast and Vista Trails).

FRW supported the creation of a National Rouge Park, and we believe that Parks Canada offers the best chance to protect and restore ecological integrity in the long term. After working to the achieve this goal for more than 34 years, we appreciate the challenges and complexities of creating and managing a national park next to Canada's biggest City. Thank you for tackling this challenge.

We look forward to your response to the attached questions. We are still awaiting the provision of the additional information that you had agreed to provide on May 12, 2021.

We understand that your Environmental Impact Assessment is nearing completion and we request a meeting with you in the next few weeks to further discuss these issues. We also request access to the Impact Assessment when it is released.

Sincerely,

Jim Robb, for Friends of the Rouge Watershed

Phone: 647-891-9550
Email: jimrobb@frw.ca

Giving Nature a voice and a helping hand.

2259 Meadowvale Road
Scarborough, Ontario
M1X 1R2

Web site: www.frw.ca
Telephone: (416) 208-0252

FRW Questions:

A) AECOM's Feasibility Study puts the 100-year-flood at 3.05 metres above the reference level. Are you now planning to build the Boardwalk above the 3.05 metre level of the 100-year-flood? Or are you still planning to build the southern sections of the Boardwalk at well-below the 100-year flood level? What are the implications for the project design, cost and ecological impacts?

B) Please correct me if I am wrong, but it is my understanding that the 3.05 metre flood level is measured from a reference water level. Are you using the "precautionary principle" and the 2019 high water levels in the Rouge Wetland as the reference water level? If not, why not?

C) To make a "due diligence" impact assessment decision, it is essential that you publicly provide, without further delay, a N-S Boardwalk Trail Cross-section showing the elevation of the Boardwalk Deck (ASL) for its entire length in relation to:

- Prudent predictions of the 25-year, 100-year and regional flood water levels (ASL)
- Ground elevation contours (ASL)
- 2017 and 2019 Spring Water levels (ASL)

D) You were going to provide FRW with some documents at our May 12, 2021, meeting but we have not received them. Here are some quotes from your Email.

"We can provide water levels from TRCA "Hydrological Engineering Center – River Analysis System" modeling in a table that AECOM created at Wednesday's meeting".

" We have the social trail map, and we will bring it with us to Wednesday's meeting".

"We have a map of the project area, which captures the entire route wetland, that we will bring to Wednesday's meeting".

E) AECOM on Fig # 4 page 8 provides locations of HEC-RAS Flood Elevation Cross-sections but on pg 9 only provides Cross-Sections 11, 14 and 16. Please provide the other cross-sections 1 to 17.

F) Can you please provide us with historical air photos, floodplain mapping, orthophotos and digital elevation models (high resolution) which have been referenced in your technical reports (AECON).

G) Can we please obtain a copy of the Park Legal Boundary Survey (digital) for the area between Lake Ontario and Kingston Rd.

I) Do you know which agency built the existing pedestrian bridge, the parking lots and the marsh board walk at the mouth of the river, and can you provide the geotechnical and design reports?

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Sameer Dhalla, Director, Development and Engineering Services

RE: **APPLICATIONS FOR PERMITS PURSUANT TO S.28.0.1 OF THE CONSERVATION AUTHORITIES ACT (MINISTER'S ZONING ORDER, ONTARIO REGULATION 698/20)**
CFN 64727 requesting permission for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses pursuant to Ontario Regulation 166/06, 1577 to 1621 Major Mackenzie Drive East, Ontario (Part Lot 19 & Part W ½ Lot 20, Concession 3, City of Richmond Hill, Regional Municipality of York) by Montagna Capital Inc.

KEY ISSUE

Issuance of permission pursuant to Section 28.0.1 of the *Conservation Authorities Act* to make minor alterations (slope drain and temporary sediment pond) within a Regulated Area to facilitate topsoil stripping, and rough grading in preparation of residential development within 1577 to 1621 Major Mackenzie Drive East, in the City of Richmond Hill, Region of York.

RECOMMENDATIONS

WHEREAS the Minister of Municipal Affairs issued a Minister's Zoning Order (MZO) for the subject properties on December 2, 2020, as Ontario Regulation 698/20;

WHEREAS Section 28.0.1 of the *Conservation Authorities Act* requires the Authority to issue permission for a development project that has been authorized by a Minister's Zoning Order (MZO) issued under the *Planning Act*, and where the lands in question are not located within a Greenbelt Area as identified through Section 2 of the *Greenbelt Act*;

WHEREAS Section 28.0.1 of the *Conservation Authorities Act* requires that the Authority shall not refuse to grant permission for a development project that has been authorized by a Minister's Zoning Order (MZO), outside of the Greenbelt, under subsection (3) despite, (a) anything in Section 28 or in a regulation made under Section 28, and (b) anything in subsection 3(5) of the *Planning Act*;

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

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

AND WHEREAS TRCA staff, in the absence of an approved MZO, would normally issue a Minor Works Permit for the first phase of construction, given its small scope, and where it has been demonstrated there will no impact on the control of flooding, erosion,

dynamic beaches, pollution, the conservation of land, or jeopardize the health or safety of persons or result in the damage or destruction of property;

THEREFORE, LET IT BE RESOLVED THAT Montagna Capital Inc. in the City of Richmond Hill be granted permission through a Permit to make minor alterations within a valley corridor for the construction of a temporary slope drain and temporary sediment ponds to facilitate topsoil stripping and rough grading in preparation of residential development within 1577 to 1621 Major Mackenzie Drive East, in the City of Richmond Hill, Region of York;

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

AND FURTHER THAT the Board of Directors, authorize the entering into of an agreement related to the Permit for the initial site works.

MZO PERMIT SUMMARY

- **Section 28.0.1 applies, and the Board must issue this permit.**
- **TRCA Staff support the issuance of this permit application as the applicant has demonstrated that it does not impact flooding, erosion, dynamic beaches, pollution, the conservation of land, or jeopardize the health or safety of persons or result in the damage or destruction of property**
- **The conditions of this permit are standard conditions and have been agreed upon by the proponent with their filing of this application.**
- **An Agreement is required and will include standard Permit conditions.**
- **This report and approval are required to allow the applicant to proceed with construction this year.**

BACKGROUND

Permit Applications, Property Descriptions and Background

The owner has applied for permission pursuant to Ontario Regulation 166/06, and Section 28.0.1 of the *Conservation Authorities Act* to construct temporary stormwater facilities, strip topsoil and rough grade in preparation for residential development on lands known municipally as 1577 to 1621 Major Mackenzie Drive East, within the City of Richmond Hill. The lands are located at the southwest corner of Highway 404 and Major Mackenzie Drive, (see location maps - ***Attachment 1)***.

TRCA staff have been involved in planning applications pertaining to this property since 2005. The property was subject to extensive review through the prior approval process whereby: the valley and stream corridor was defined and buffers determined, the employment use established, and the subdivision approved with conditions. Through our review and consideration of these applications, TRCA staff previously processed permits on this property for the previous owners, Rice Commercial in 2011 and DDR Major Mac in 2013. The MZO that has been issued on this property converted the land use to residential uses including a mix of densities and a Long-Term Care Facility for seniors. The property is 29.38 ha in area which includes an Open Space Block of 8.66 ha along the Rouge River valley system as shown on ***Attachment 1***.

The construction is to be phased. Phase 1 which is the subject of this Permit, includes temporary erosion and sediment controls including a sediment pond and slope drain which intrude temporarily into the Regulated Area to facilitate drainage and prevent erosion during topsoil stripping and rough grading. ***Attachment 2*** shows the proposed works. A future permit for a permanent stormwater outlet, site grading and connection to the York Durham Sewage System (YDSS) (located within the valley corridor), is contemplated in the Fall of this year.

Mandatory Permits for MZO Development Projects
Section 28.0.1 of the amended *Conservation Authorities Act* (CA Act) applies to a development project that has been authorized by an MZO under the Planning Act, within an area regulated under Section 28(1) of the CA Act, outside of the Greenbelt Area. In TRCA's case, the regulated area is prescribed in Ontario Regulation 166/06.

The provisions of this new Section of the Act are summarized as follows:

- CAs shall issue a permit.
- CAs may only impose conditions to the permit, including conditions to mitigate:
    - Any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or pollution or the conservation of land;
    - Any conditions or circumstances created by the development project that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property; or
    - Any other matters that may be prescribed by the regulation.
- An applicant has the right to a Hearing before the authority (Board) if there is an objection to the permit conditions being imposed by the CA.
- If the applicant still objects to conditions following a decision of the Hearing, the applicant has the option to either request a Minister's review (MNRF) or appeal to the LPAT.
- All MZO-related CA permits must have an agreement with the permittee (can include all parties, e.g., municipalities, on consent of applicant).
- The agreement shall set out actions that the holder of the permission must complete or satisfy to compensate for ecological impacts, (where applicable), and any other impacts that may result form the development project.
- The agreement must be executed before work commences on the site; some enforcement provisions through court proceedings are in effect for MZO permits.

In summary, TRCA must issue a permit for development projects on lands subject to an MZO, outside of the Greenbelt, and can make that permission subject to conditions and must enter into an agreement with the landowner/applicant. Consistent with current practice, Board approval is required.

RATIONALE
Review of Permit Application by TRCA Staff
The applications have been reviewed by TRCA's geotechnical, water resources, hydrogeology, and ecology staff. The proposed site alteration does not impact:

- the control of flooding – all works are located outside of the regional storm floodplain;
- erosion – no geotechnical/slope stability issues have been identified;
- dynamic beaches – not applicable;
- pollution – sediment and erosion control measures will be installed and maintained through construction to prevent sediment from migrating from the site onto the adjacent

lands or features;

- conservation of land – no significant vegetation will be removed and no adverse impacts to nearby natural features are anticipated;
- and/or in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property – the temporary stormwater facilities have been sized and located based on current best practices

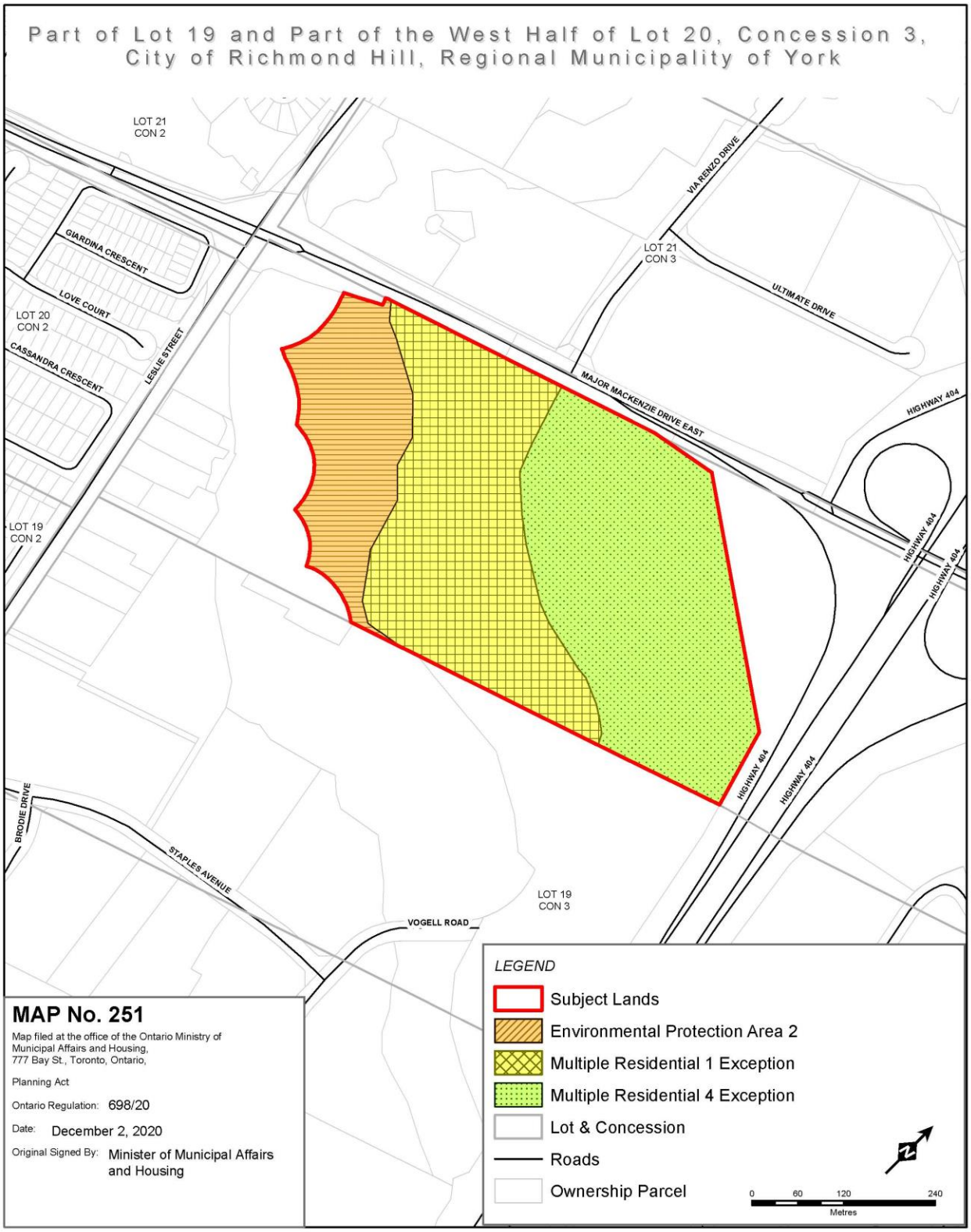
Policy Guidelines:
The proposed works are consistent with Section 8.4 (General Regulation Policies) and 8.5 (Valley and Stream Corridors) of the Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority.

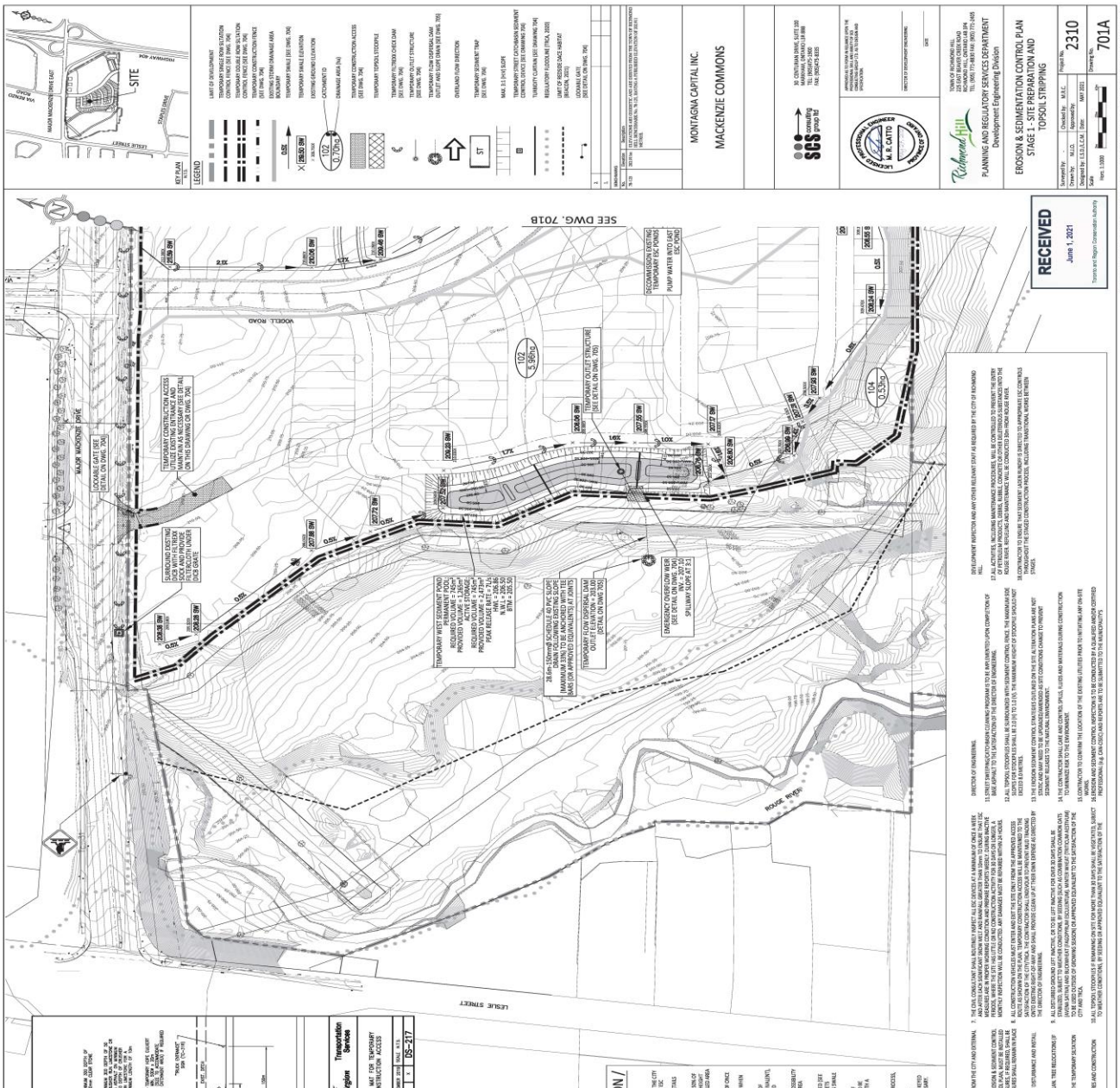
SUMMARY CONCLUSION
Approval of permission for development within the valley and stream corridor is required to allow site alteration to commence. Staff are recommending the issuance of this Permit based upon TRCA's standard permit conditions, which will be included in the Agreement as required by the updated *Conservation Authorities Act*.

Report prepared by: June Little, extension 5756
Emails: June.Little@trca.ca
For Information contact: June Little, **extension 5756**
Emails: June.Little@trca.ca
Date: June 15, 2021
Attachments: 3

Attachment 1: Ministers Zoning Order (MZO) - Ontario Regulation 698/20, Map 251
Attachment 2: Proposed Works
Attachment 3: Standard Permit Conditions

Toronto and Region Conservation Authority




SITE
LEGEND
MONTAGNA CAPITAL INC.
MACKENZIE COMMONS
EROSION & SEDIMENTATION CONTROL PLAN
STAGE 1 - SITE PREPARATION AND
TOPSOIL STRIPPING
PLANNING AND REGULATORY SERVICES DEPARTMENT
Development Engineering Division
2310
701A
RECEIVED
June 1, 2021
SEE DWG. 701B
ESC STAGE 1 - SITE PREPARATION / TOPSOIL STRIPPING
GENERAL NOTES:
LESLIE STREET
ROUGE RIVER
REGIONAL ROAD
WOODLL ROAD
MAJOR MACKENZIE DRIVE

Attachment 3: Standard Permit Conditions

1. The Owner shall strictly adhere to the approved TRCA permit, plans, documents and conditions, including TRCA redline revisions, herein referred to as the “works”, to the satisfaction of TRCA. The Owner further acknowledges that all proposed revisions to the design of this project that impact TRCA interests must be submitted for review and approval by TRCA prior to implementation of the redesigned works.

2. The Owner shall notify TRCA Enforcement staff 48 hours prior to the commencement of any of the works referred to in this permit and within 48 hours upon completion of the works referred to herein.

3. The Owner shall grant permission for TRCA staff, agents, representatives, or other persons as may be reasonably required by TRCA, in its opinion, to enter the premises without notice at reasonable times, for the purpose of inspecting compliance with the approved works, and the Terms and Conditions of this permit, and to conduct all required discussions with the Owner, their agents, consultants or representatives with respect to the works.

4. The Owner acknowledges that this permit is non-transferrable and is issued only to the current owner of the property. The Owner further acknowledges that upon transfer of the property into different ownership, this permit shall be terminated and a new permit must be obtained from TRCA by the new owner. In the case of municipal or utility projects, where works may extend beyond lands owned or easements held by the municipality or utility provider, landowner authorization is required to the satisfaction of TRCA.

5. This permit is valid for a period of two years from the date of issue unless otherwise specified on the permit. The Owner acknowledges that it is the responsibility of the owner to ensure a valid permit is in effect at the time works are occurring; and, if it is anticipated that works will not be completed within the allotted time, the Owner shall notify TRCA at least 60 days prior to the expiration date on the permit if an extension will be requested.

6. The Owner shall ensure all excess fill (soil or otherwise) generated from the works will not be stockpiled and/or disposed of within any area regulated by TRCA (on or off-site) pursuant to Ontario Regulation 166/06, as amended, without a permit from TRCA.

7. The Owner shall install effective erosion and sediment control measures prior to the commencement of the approved works and maintain such measures in good working order throughout all phases of the works to the satisfaction of TRCA.

8. The Owner acknowledges that the erosion and sediment control strategies outlined on the approved plans are not static and that the Owner shall upgrade and amend the erosion and sediment control strategies as site conditions change to prevent sediment releases to the natural environment to the satisfaction of TRCA.

9. The Owner shall repair any breaches of the erosion and sediment control measures within 48 hours of the breach to the satisfaction of TRCA.

10. The Owner shall make every reasonable effort to minimize the amount of land disturbed during the works and shall temporarily stabilize disturbed areas within 30 days of the date the areas become inactive to the satisfaction of TRCA.

11. The Owner shall permanently stabilize all disturbed areas immediately following the completion of the works and remove/dispose of sediment controls from the site to the satisfaction of TRCA.

12. The Owner shall arrange a final site inspection of the works with TRCA Enforcement staff prior to the expiration date on the permit to ensure compliance with the terms and conditions of the permit to the satisfaction of TRCA.

13. The Owner shall pay any additional fees required by TRCA in accordance with the TRCA Administrative Fee Schedule for Permitting Services, as may be amended, within 15 days of being advised of such in writing by TRCA for staff time allocated to the project regarding issues of non-compliance and/or additional technical review, consultation and site visits beyond TRCA's standard compliance inspections.

Item 7.2

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **MEMORANDUM OF UNDERSTANDING WITH CITY OF PICKERING FOR ACQUISITIONS AND DISPOSITIONS NEAR FRENCHMAN'S BAY IN SUPPORT OF WATERFRONT TRAIL AND SHORELINE RESTORATION OBJECTIVES**
Disposition of 805 & 809 St. Martins Drive & acquisition of portions of 501 Marksbury from the City of Pickering

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KEY ISSUE

The establishment of a Memorandum of Understanding (MOU) with the City of Pickering for the acquisition of 501 Marksbury Rd and 520 West Shore Blvd, parceling and sale of surplus lands, and funding from the sale of TRCA surplus lands at 805/809 St. Martins Rd to be utilized to acquire lands in support of Waterfront Trail and shoreline restoration objectives near Frenchman's Bay.

RECOMMENDATION

WHEREAS TRCA has undertaken acquisitions to create contiguous land holdings along the lakefront in the City of Pickering for the establishment of the Pickering Waterfront Trail;

AND WHEREAS recent erosion of TRCA property that provides access to 501 Marskbury Road has provided the opportunity to discuss acquisition of 501 Marksbury Road and 520 West Shore Boulevard by the City of Pickering to complete the trail construction and local erosion works within the immediate area;

AND WHEREAS the disposition of two surplus non-environmentally sensitive TRCA properties east of Frenchman's Bay provide the revenue to contribute to the potential acquisition of 501 Marksbury Road and 520 West Shore Boulevard by the City of Pickering;

AND WHEREAS the City of Pickering has the ability to facilitate lot creation in keeping with their Official Plan and taking into account Zoning By-law requirements;

AND WHEREAS the City of Pickering and TRCA desire to establish a working relationship, through the execution of a non-binding MOU, in order facilitate the completion of this project;

THEREFORE, LET IT BE RESOLVED THAT TRCA approve the MOU in principle, subject to execution once Ministerial approval of the project has been obtained from the Ministry of the Environment, Conservation and Parks;

THAT following Ministerial approval, the final MOU for execution may incorporate such further minor amendments as required and agreed to by the Chief Executive Officer and or City Manager of Pickering;

THAT TRCA declares that the acquisitions of the remainder of 501 Marksbury Road and 520 West Shore Boulevard provide ecological, erosion, and trail connection pursuant to the Greenspace Acquisition Project 2021-2030;

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

BACKGROUND

On August 21, 1992 the Board of Directors Meeting approved resolution #125/92 to enter into an agreement with the Fairport Beach Ratepayers Association to acquire approximately 7.01 acres of shoreline property within the City of Pickering (the "City"). This historical acquisition was to facilitate the construction of waterfront trails within the City. Part of this conveyance restricted public access until remaining properties are purchased by the TRCA, namely:

> *"…The Purchaser will not create any right of way or easements for public access, or enlarge any existing right of way for public access, over the waterfront (the "waterfront") between Marksbury Road and West Shore Boulevard, nor will it permit public use or access over any private routes of the Purchaser on the Waterfront, until such time as the Purchaser has acquired the remaining private residential properties situated on the Waterfront."*

Since this time, staff has been attempting to acquire the final two houses required under the Fairport Beach Ratepayers Association agreement, namely 501 Marksbury Road ("501") and 520 West Shore Boulevard ("520"). In late 2020, the City conducted emergency relocation of the roadway access to 501 to provide safer winter maintenance. Through the discussion with the City, the topic of the City facilitating the acquisition and parceling was discussed and at the Board of Directors Meeting held on January 29, 2021, Resolution #A230/20 was approved as follows:

> *AND FURTHER LET IT BE RESOLVED THAT staff proceed to investigate the highest value for disposition, required measures to achieve this enhanced value, and potential projects for furtherance of trail development within the Frenchman's Bay watershed and report back to the Executive Committee with a proposed approach and draft MOU with the City of Pickering once this is determined.*

RATIONALE

Through the discussions with the City, the following proposed solution is recommended. The City and TRCA execute a non-binding Memorandum of Understanding ("MOU") for this project. The MOU leverages the benefits of both the City and TRCA. Under this MOU, the City shall acquire 501 & 520 from their current owners, through friendly acquisition, for approximately $2.4 million dollars. The City shall acquire up to 450 square meters, more or less, from TRCA property located at 503 Marksbury Rd ("503"). The City shall demolish the two houses located on 501 and 520, then combine 503 along with portions of 501, 520 to create a new lot, and apply residential zoning to develop a marketable residential building lot for public sale. The revenue derived from the sale of this lot will be used to offset the acquisition cost of 501 and 520. To maximize the value of the new lot, and hence the offset the cost of acquisition, two potential lot lines are provided to afford the City flexibility in zoning requirements.

Under the MOU, the TRCA shall dispose of two surplus properties located at 805 and 809 St.

Martins. Road within the City of Pickering. These properties are vacant lands in an approved subdivision historically acquired when a park was envisioned in the area. Since that time other parks have been developed in the community making these lands surplus. The revenue from these dispositions will be used to fund the remainder of the purchase price of 501 and 520. In the event that a shortfall exists, TRCA shall fund 50% of the shortfall amount. In the event of excess revenue, the excess shall be retained for conservation efforts within the City of Pickering, including any local trail/erosion improvements. Upon the transfer of revenue, the City shall transfer the remaining portions of 501 & 520 to TRCA for nominal consideration, completing the final acquisition required for the establishment of public access for the Pickering Waterfront Trail.

This initiative requires approval from the Minister of the Ministry of the Environment, Conservation and Parks ("MECP"), namely the overall project, powers to dispose, and allocation of revenue. There is no request for additional funding from the Provincial Government for this project, just redistribution of previous provincial investment. As the acquisition of 501 and 520 is a considerable financial obligation, the City will likely not acquire 501 and 520 until MECP approval is obtained in advance. TRCA staff have formally requested approval and have been recently meeting with Ministry staff regarding approval of this project and are awaiting a response.

This proposed project has many potential benefits for TRCA, the City, the Province and stakeholders including Great Lakes Waterfront Trail, who have been advocating for completion of the trail and restoration of the shoreline. The first benefit is the removal of the immediate roadway access concerns for 501 from erosion threats. The second public benefit is the continuation of the Pickering Waterfront Trail and open access to the public. Finally, TRCA may provide future erosion mitigation along the waterfront, protecting municipal road and utility infrastructure along with private and public property interests.

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 3 – Rethink greenspace to maximize its value
Strategy 4 – Create complete communities that integrate nature and the built environment
Strategy 7 – Build partnerships and new business models

FINANCIAL DETAILS
It is envisioned that this project will not require additional funding sources. In the event that a shortfall does occur through disposition and revenue generation, TRCA shall be required to fund 50% of the potential shortfall. As the lands acquired are part of the Greenspace Acquisition Project, potential shortfalls may be funded from the land reserve account.

DETAILS OF WORK TO BE DONE
The future work to be provided is obtaining explicit consent and approval from the Minister of MECP on the project scope, disposition, and use of funds. Following said approval, work to properly position and market 805/809 St. Martins will commence involving the City of Pickering.

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Date: June 16, 2021

Item 7.3

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **MEMORANDUM OF UNDERSTANDING WITH INFRASTRUCTURE ONTARIO**

KEY ISSUE
Staff request for Toronto and Region Conservation Authority's (TRCA) Board of Directors approval to enter a Memorandum of Understanding (MOU) setting the guiding principles of a formalized long-term relationship between TRCA and Infrastructure Ontario (IO), allowing for a variety of infrastructure, planning, environmental and real estate initiatives that provide mutual benefits to both organizations. The MOU and successive service delivery or service level agreements (SLA's) would allow TRCA and IO to utilize each other's skills and capacities on a sole source basis subject to entering into appropriate agreements.

RECOMMENDATION

WHEREAS both TRCA and IO play integral roles regarding land management and governance within our joint jurisdiction including co-management, regulation and stewardship of lands required to realize priority TRCA and IO projects and programs.

WHEREAS both organizations agree on the importance of enhancing our ability to work cooperatively and on collaborating more closely to achieve mutual benefits;

THEREFORE, LET IT BE RESOLVED THAT TRCA staff be directed to enter into a MOU and service agreements with IO, which includes general guiding principles of a long-term partnership between the two organizations, to advance mutually beneficial infrastructure, planning, real estate and environmental initiatives;

THAT the CEO be authorized to enter into subsequent Service Level Agreements and Letter Agreements, on a sole source basis, as necessary subject to CFOO and legal review and approvals, to deliver services more efficiently as they arise;

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 works closely with municipal, provincial, and federal government partners as well as local businesses, community organizations, Indigenous communities, and other stakeholders to protect the environment, educate its constituents about environmental conservation and sustainability, and create climate-resilient communities.

TRCA manages a diverse portfolio of ecological services, infrastructural assets, and educational programs in close collaboration with its partner municipalities. In many instances across TRCA's jurisdiction TRCA runs programs, builds green infrastructure, and issues permissions related to provincially owned and IO managed lands (e.g., Gatineau hydro corridor where The Meadoway

project is underway) and infrastructure projects involving IO project delivery teams, (e.g., Metrolinx transit, and hospital/healthcare projects).

Infrastructure Ontario (IO) is a Crown agency of the Province of Ontario focused on creating a connected, modern and competitive Ontario, working with both public and private sector partners. IO's main areas of focus include four lines of business:

- Major Projects - acting as procurement and commercial lead for all major public infrastructure projects in the Province.

- Real Estate Services - Manages the provincial government real estate portfolio through asset planning, facilities contract management, and real estate advisory services.

- Infrastructure Lending - Providing financial lending to support the renewal of public sector infrastructure by delivering affordable long-term loans to eligible clients.

- Commercial Projects - Providing advice and negotiation support to the government and public sector partners regarding commercial transactions, including major land developments.

RATIONALE

TRCA and IO have an opportunity to align in a number of different program areas for mutual benefit. While some agreements with IO and its partners are already in place related to The Meadoway and the Oak Ridges Corridor Conservation Reserve, this relationship can be further codified and strengthened through the establishment of a MOU to establish the principles of collaboration and partnership and provide for the possibility for fee-for-service or other agreements to implement shared priorities.

These partnership areas may include:

1) **Optimizing Real Estate portfolios**
    a. Office/operational support - Both TRCA and IO operate office and field locations within TRCA's jurisdiction. Scheduled for completion in 2022, TRCA's new administrative Head Office will serve as a model for sustainable office infrastructure in Canada's low-carbon future. It is envisioned that there may be potential opportunities to lever IO's accommodation and portfolio management expertise in support of managing TRCA's office portfolio. This may include the ability to leverage provincial best practices and technologies to operationalize new staffing models to achieve more efficient office and accommodation practices for TRCA's workforce. Furthermore, co-location opportunities might also be present for the province on TRCA lands.

    b. Greenspace Acquisition Plan and Support for Priority Projects – TRCA's Greenspace Acquisition Strategy seeks to add 800 hectares to its 16,250 hectare portfolio during the 2021-2030 plan duration. In addition, the Board endorsed Trail Strategy for the Greater Toronto Region includes several segments of proposed trail segments on IO managed lands. There are many significant opportunities of joint interest on trails including but not limited to:
        i. The Meadoway project that seeks to create a 16km natural trail linkage within a Hydro One corridor co-managed by IO;

ii. Trail Strategy segments within the Parkway Belt West Plan including key linkages in the Humber, Don, and Etobicoke Creek trail watersheds;
iii. Seaton and Duffins Rouge Agricultural Preserve lands managed by IO in Durham Region that may provide restoration/ecosystem enhancement opportunities, and enhanced trail linkages within the Duffins Creek Watershed;
iv. Rouge Park and trail management on IO managed lands through service agreements; and
v. Oak Ridges Corridor Conservation Reserve stewardship including work to update our existing Management Agreement which is set to expire in 2027

c. Reality Portfolio Analysis Support – TRCA has extensive reality holdings within the GTA, holding approximately 7% of the total land area within its jurisdiction. Although most of the TRCA lands highest and best use is for conservation and ecological protection, there exists opportunities to identify non sensitive lands that may support alternative public uses where revenue could be generated to offset operating costs or to support the acquisition of more important ecological lands of strategic importance as part of the TRCA Board endorsed Greenspace Acquisition Project. Furthermore, staff in both organizations have identified opportunities for each organization to work together to ensure better stewardship on their managed lands.

2) Support Transit Delivery

TRCA through our MOU and SLA's with Metrolinx continues to work in support of the provincial transit expansion program including the volunteer technical review related to flooding, erosion, natural heritage management stormwater management and coastal hazards.

In addition, TRCA under our MOU SLA for Waterfront Toronto has also led the Municipal Environmental Assessment for the Broadview & Eastern Flood Protection Project within this area IO is involved in supporting Metrolinx in the delivery of a transit hub and station associated with the Ontario Line. Advancing detailed design and implementation of the flood protection solution is critical to support transit improvements in the area, including the East Harbour Transit Hub and Broadview Extension. TRCA is well positioned to partner with both IO, and Metrolinx in addition to its ongoing partnership with Waterfront Toronto, Ports Toronto, and the City of Toronto on the implementation of this important flood protection project in support of Provincial, Federal and City objectives.

3) More Efficient Service Delivery

Through continuing management with IO there may be opportunity to support more effective and efficient service delivery. These areas include joint partnerships including but not limited to the following areas:

i) Soil management functions in support of IO's role in delivering time sensitive provincial infrastructure projects in a cost effective and sustainable way for projects within or near our jurisdiction;
ii) Support on securing environmental approvals involving all levels of government through leveraging TRCA's scientific expertise and networks;

iii) Achieving enhanced community and stakeholder engagement on joint projects
iv) Opportunities to share public sector/agency best practices and to leverage GIS and other data within each organization such as TRCA's property/flood mapping layers within TRCA's ESRI environment and IO's Geoportal.

Additionally, the following TRCA services areas may be incorporated into the MOU for use by IO in support of developing commercial solutions, managing assets, and executing transactions:

- Service Area 1 – Watershed Studies and Strategies
- Service Area 2 – Water Risk Management
- Service Area 3 – Regional Biodiversity
- Service Area 4 – Greenspace Securement and Management
- Service Area 5 – Tourism and Recreation
- Service Area 6 – Planning and Development Review
- Service Area 7 – Education and Outreach
- Service Area 8 – Sustainable Communities

Finally, through IO role as procurement advisor for capital delivery, asset management and commercial advisory services, there may be opportunities for TRCA to leverage procurement opportunities under existing master service contract arrangements and to obtain better pricing on goods and services that are mutually utilized.

Based on the foregoing, staff recommend that TRCA enter into a MOU with IO and successive service agreements subject to CEO approval, covering the above areas of service to facilitate ongoing operations and to build an even stronger relationship between the two entities.

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 1 – Green the Toronto region's economy
Strategy 3 – Rethink greenspace to maximize its value
Strategy 7 – Build partnerships and new business models
Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS
There are no financial impacts from the execution of the non-binding MOU with IO. Where opportunities arise that are to the financial benefit to TRCA, utilizing IO as a sole source is desired to reduce financial impacts and provide more efficient public services.

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Date: June 15, 2021

Item 7.4

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **DELEGATED AUTHORITY TO AWARD VENDOR OF RECORD ARRANGEMENTS FOR LAND USE PLANNING AND APPRAISAL SERVICES**

KEY ISSUE
Staff request to the Board of Directors to delegate approval authority to the Chief Executive Officer (CEO) to award Vendor of Record (VOR) and contracts for the retention of Land Use Planning Services and a VOR contract for the retention of Appraisal Services prior to the next Board of Directors meeting in September 2021.

RECOMMENDATION

WHEREAS no meetings of the Executive Committee and Board of Directors are scheduled for the months of July and August 2021;

AND WHEREAS Resolution #A183/20, adopted at the November 20, 2020 Board of Directors meeting, previously delegated the approval of all time sensitive procurements for the months of July and August to the Chief Executive Officer or his designate;

THEREFORE, LET IT BE RESOLVED THAT the Chief Executive Officer be delegated authority to award the Vendor of Record and any contracts for Land Use Planning and Appraisal Services;

THAT should TRCA staff be unable to negotiate contracts with the successful Proponents, 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;

THAT authorized TRCA officials be directed to take whatever action may be required to implement the contracts, including the obtaining of necessary approvals and the signing and execution of any documents;

AND FURTHER THAT staff report back on the contract awards to the Board of Directors at the September 2021 meeting.

BACKGROUND
At Board of Directors Meeting held on January 29, 2021, Resolution #A230/20 was approved in part as follows:

> *AND FURTHER LET IT BE RESOLVED THAT staff proceed to investigate the highest value for disposition, required measures to achieve this enhanced value, and potential projects for furtherance of trail development within the Frenchman's Bay watershed and report back to the Executive Committee with a proposed approach and draft MOU with the City of Pickering once this is determined.*

This specific project and several Board of Directors resolutions related to the Greenspace Acquisition Project, Trail Strategy for the Greater Toronto Region and other capital projects have prompted the need for staff to seek out and obtain land use planning and appraisal services in support of TRCA and partner initiatives.

RATIONALE

Planning Services

TRCA with endorsement of the Board of Directors has identified specific surplus and non-environmentally sensitive lands owned by TRCA and its partners that may benefit from due diligence with land use planning consultants familiar with advancing development projects. This expertise will assist staff with determining the feasibility and cost-benefit of developing surplus non-environmentally sensitive lands prior to disposing of them. TRCA and the City of Pickering have prepared a Memorandum of Understanding (MOU) that involves the City and TRCA utilizing the proceeds of the sale of non-sensitive lands to acquire environmentally sensitive and erosion prone lands required to complete a missing and vital segment of the Great Lakes Waterfront Trail west of Frenchmen's Bay subject to ministerial approval. The required work includes pre-planning services, pre-consultation meeting assistance with City staff, review/analysis of planning documentation, proforma analysis, developing conceptual development plans, and due diligence reviews. Private sector land use planners provide local economic knowledge, not typically found within public practice. The land use planning services TRCA is seeking will also include the ability to retain experts in required disciplines (subconsultants) to provide studies in support of development applications, e.g., traffic impact studies, as well as providing the planning rationale for development applications (e.g., severance, zoning, or minor variance applications) to properly position the property prior to disposition/sale on the market. Land use planning services are also often required to help inform more detailed appraisals for TRCA's work in advancing acquisitions of land by municipal partners, particularly where complex arrangements or development potential is at issue. Between June and September 2021, TRCA staff will conduct an RFP for land use planning service providers, on an "as required" basis with no minimum hours guarantee. To maintain momentum in property services, staff requests that the Board of Directors delegate authority to the CEO to award this VOR contract for land use planning services to ensure timely implementation of this priority project.

Appraisal Services

TRCA utilizes third party appraisals services to conduct accurate market valuation of lands for both TRCA and its government and agency partners, and to fulfill CA Act and other related information requirements regarding the disposition of land. These appraisal services support a variety of TRCA divisions and programs. Historically, TRCA establishes a Vendors of Record (VOR) list for these services, where vendors are vetted in advance and are authorized to provide these services for a defined period of time and with fixed pricing. Staff may contact any vendor on the list with the expertise and experience required for their project or program requirements. Vendors will be required to provide all resources required to service the divisional or program needs in accordance with applicable laws, codes, standards, terms and conditions of the Vendors of Record agreement. Throughout the term within the VOR, firms are subject to annual review in order to confirm that the firms are providing an adequate level of service and to update any applicable policies. Between June and September 2021, TRCA staff will conduct an RFP for appraisal service providers, on an "as required" basis with no minimum hours guarantees. Like the land use planning services request, to maintain momentum on projects in property services, staff requests that the Board of Directors delegate authority to the CEO to award this VOR contract to ensure timely implementation.

In conclusion, staff request that the Board of Directors grant delegated authority to the CEO to award said contracts to ensure timely implementation of projects requiring appraisal and land use planning services. Once these contracts have been approved, staff will prepare a report for the Board of Directors Meeting scheduled for September 24, 2021, to provide the Board with the contract award information. If the Board endorses the contracts being awarded via delegated authority in accordance with the recommendations outlined in this report, staff will prepare a report for the Board of Directors Meeting scheduled for September 24, 2021.

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 7 – Build partnerships and new business models
Strategy 3 – Rethink greenspace to maximize its value
Strategy 10 – Accelerate innovation

FINANCIAL DETAILS
The total value of the Planning Services consultant, including associated retained expert reports, is estimated to be up to $300,000 over a three-year contract. The total value of the Appraisal Services consultant, including associated retained expert reports, is estimated to be up to $300,000 over a three-year contract. As services are on an “as-needed” basis, an increase or decrease of services will impact the value of this contract. Firms may increase hourly rates annually, to a maximum of the preceding year’s Ontario’s Consumer Price Index as published by Statistics Canada. Costs for these services will be assigned to specific project cost centers associated with the program or project TRCA is carrying out such as the Board endorsed and Minister approved TRCA Greenspace Acquisition Project and projects for its municipal partners.

DETAILS OF WORK TO BE DONE
Conduct RFP for Land Use Planning and Appraisal Services.

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Date: June 11, 2021

Item 7.5

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **DELEGATED AUTHORITY TO AWARD CONTRACT 10033033 FOR CLAIREVILLE CONSERVATION AREA WATERMAIN REPLACEMENT PROJECT**

KEY ISSUE
Staff request that Toronto and Region Conservation Authority's (TRCA) Board of Directors delegate approval authority to the Chief Executive Officer (CEO) to award this contract prior to the next Board of Directors meeting in September 2021.

RECOMMENDATION

WHEREAS no meetings of the Executive Committee and Board of Directors are scheduled for the months of July and August 2021;

AND WHEREAS Resolution #A183/20, adopted at the November 20, 2020 Board of Directors meeting previously delegated the approval of all time sensitive procurements for the months of July and August 2021 to the Chief Executive Officer or his designate;

AND WHEREAS it would be beneficial to award the required work in summer 2021 to maintain the project schedule;

THEREFORE, LET IT BE RESOLVED THAT the Chief Executive Officer be delegated authority to award Contract 10033033 between the June 2021 and September 2021 Board of Directors' meetings;

THAT should TRCA staff be unable to negotiate a contract with the successful 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;

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;

AND FURTHER THAT staff report back on the contract award to the Board of Directors at the September 2021 meeting.

BACKGROUND
The Claireville Conservation Area (CCA) is located in the City of Brampton, Regional Municipality of Peel and is approximately 450 hectares in size. The CCA lands are bounded by Highway 407 to the south, Goreway Drive to the west, lands north of Queen Street East (Regional Road 107) and south of Castlemore Road to the north and Regional Road 50 and The Gore Road to the east. The CCA contains significant natural and cultural heritage features. It is highly accessible to the public and has recreation, tourism and education facilities and programs. It is an integral part of the City of Brampton's natural heritage system, cultural

heritage fabric, and an important regional recreation destination.

Due to aging infrastructure resulting in numerous watermain breaks within the property, and uses requiring water service TRCA is proposing to replace the existing water distribution system. The existing system and its components were assessed and were deemed to be at the end of its useful life as the system dates back to the 1960's. As a result, TRCA retained a professional engineering firm, Candevcon Limited, to design a new watermain system that meets current water supply demands and fire flow conditions to satisfy Ontario Building Code requirements for occupancy and on-site fire suppression. The detailed design considered the future growth of park amenities and programming and best management practices for construction utilizing proper erosion and sediment control (ESC) and restoration plans to mitigate impacts.

RATIONALE

TRCA has completed detailed design drawings and have submitted permit applications to agencies having jurisdiction on the review and approval of watermain infrastructure in April 2020. Due to the COVID-19 pandemic, the permitting process was delayed which in turn delayed the release of the tender call for general contractors. TRCA's Engineer has received agency review comments and is currently working in a timely manner to address those comments. TRCA staff are currently preparing tender documents in anticipation of obtaining all permits in July 2021. It is expected that TRCA staff will likely be in a position to award this tender in August. The cost savings and site conditions for implementing watermain work during more ideal weather will benefit the project by helping to maintain the project schedule.

To maintain momentum on this project, staff request that the Board of Directors grant delegated Authority to the CEO to award Contract 10033033 between the June 2021 and September 2021 Board of Directors' meetings to ensure timely implementation of this project. If the contract is awarded in accordance with the recommendations outlined in this report, staff will prepare a report for the Board of Directors Meeting #6/21 scheduled for September 24, 2021 to provide the Board with the contract award information.

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 3 – Rethink greenspace to maximize its value
Strategy 5 – Foster sustainable citizenship

FINANCIAL DETAILS

Funds for the contract will be recovered from the Region of Peel Asset Management Implementation. Expenses are being tracked through account code 006-63.

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Date: June 9, 2021

Item 7.6

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Anil Wijesooriya, Director, Restoration and Infrastructure

RE: **DELEGATED AUTHORITY TO AWARD CONTRACT 10035829 AND 10035830 FOR SUPPLY AND DELIVERY OF ARMOUR STONE TO ASHBRIDGES BAY TREATMENT PLANT LANDFORM PROJECT**
RFT No. 10035829, 10035830

KEY ISSUE
Staff request to Toronto and Region Conservation Authority's (TRCA) Board of Directors to delegate approval authority to the Chief Executive Officer to award this contract prior to the next Board of Directors meeting in September 2021.

RECOMMENDATION

WHEREAS no meetings of TRCA's Executive Committee and Board of Directors are scheduled for the months of July and August 2021;

AND WHEREAS Resolution #A183/20, adopted at TRCA's November 20, 2020 Board of Directors meeting previously delegated the approval of all time sensitive procurements for the months July and August 2021 to the Chief Executive Officer or his designate;

THEREFORE, LET IT BE RESOLVED THAT the Chief Executive Officer be delegated authority to award Contracts 10035829 and 10035830;

THAT should TRCA staff be unable to negotiate a contract with the successful 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;

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;

AND FURTHER THAT staff report back on the contract award to the Board of Directors at the September 2021 meeting.

BACKGROUND
TRCA, in partnership with the City of Toronto, has commenced construction of three shore-connected breakwaters and a headland-beach system as part of the Ashbridges Bay Treatment Plant (ABTP) Landform Project located on the north shore of Lake Ontario, in the City of Toronto.

The Ashbridges Bay area has been the subject of several environmental assessments intended to identify a solution to local shoreline erosion and sediment deposition issues while considering approved planning initiatives and current uses in the project area.

Erosion control for long-term shoreline stability and protection of existing facilities, as well as management of sediment from the Coatsworth Cut navigation channel were identified as critically important to the City of Toronto. An integrated approach was decided upon which included the development of detailed designs and construction of the ABTP Landform as a solution to the erosion and sediment control issues at Ashbridges Bay.

Construction of the ABTP Landform, in accordance with the detailed designs, was authorized during the City Council meetings on April 16 and 17, 2019.

At TRCA's Board of Directors meeting #4/19, held on April 26, 2019, RES.#A56/19 provided staff with direction to negotiate and enter into and execute one or more service agreements with the City of Toronto to construct the Ashbridges Bay Treatment Plant Landform. The final agreement for construction of the ABTP Landform Project was executed on December 23, 2019 and construction activities officially began on January 13, 2020.

A comprehensive implementation phasing plan for the landform was prepared as part of detailed design. Construction of the Landform will be split into three components and three corresponding cells, which will be constructed from west to east. Each phase involves the construction of a confinement berm to isolate the fill area from the lake, the filling of the cell, the construction of a protective headland-beach system, and submerged shoal habitat features.

There is also a central and east breakwater, which together, provides a long-term solution to address the sedimentation issue within the Coatsworth Cut navigation channel which TRCA currently maintains through a $250,000 per year dredging program.

Given the scope of the Landform Project, an estimated five to six-year phased approach is required to construct the works commencing in 2020. The phases are as follows:

- Phase 1 – Construction of the Cell 1 confinement berm, filling of Cell 1, and construction of the headland-beach system and submerged shoals associated with Cell 1
- Phase 2 – Construction of Cell 2 confinement berm, filling of Cell 2, construction of headland-beach system and submerged shoals associated with Cell 2
- Phase 3 – Construction of the Cell 3 confinement berm, filling of Cell 3, and armourstone and rip-rap placement
- Phase 4 and 5 – Construction of Eastern and Central Breakwater, and shoal construction

At the time of writing this communication, construction of all three confinement berms is forecasted to be completed in June 2021.

Construction of the head-beach systems has commenced with previous approvals to award Contracts #10035223, 10035225 and 10035226 for supply and delivery of various aggregates. These contracts were awarded with Board of Directors approval at meeting #9/20 held on Friday, January 29, 2021, RES.#A225/20.

RATIONALE

TRCA construction staff are preparing to begin construction of a headland on the eastern region of the berm in August/September 2021.

As such, staff request the Board of Directors to grant delegated authority to the CEO to award

contracts 10035829 and 10035830 in July 2021 to ensure timely implementation of this priority project. Once the contract has been approved, staff will prepare a report for the Board of Directors Meeting scheduled for September 24, 2021 to provide the Board with the contract award information.

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
Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS

The estimated project cost for construction of the Ashbridges Bay Treatment Plant Landform Project is $96.0 million net of all applicable taxes ($97.7 million net of HST recoveries).

Funds to support these contracts will be recovered through the service agreement with the City of Toronto and tracked under account code 183-02.

DETAILS OF WORK TO BE DONE

Recommendation of the Proponents for these contracts is pending successful inspection of quarries by TRCA staff and the engineering consultant for Ashbridges Bay Treatment Plant Landform Project. This inspection will be done to insure the successful Proponent has the capability to deliver at the material specifications listed in these contracts, before recommending them for award.

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Date: May 12, 2021

Item 7.7

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: John MacKenzie, Chief Executive Officer

RE: **DELEGATED AUTHORITY TO AWARD CONTRACT 10035673 FOR CREEK WETLAND AND TRAILHEAD IMPROVEMENTS PROJECT**

KEY ISSUE
Staff request to the Board of Directors to delegate approval authority to the Chief Executive Officer (CEO) to award Contract #10035673 to support the advancement of the Cudmore Creek Wetland and Trailhead Improvements Project.

RECOMMENDATION

WHEREAS no meetings of the Executive Committee and Board of Directors are scheduled for July or August 2021;

AND WHEREAS Resolution #A183/20, adopted at the November 20, 2020 Board of Directors meeting previously delegated the approval of all time sensitive procurements for the months of July and August to the Chief Executive Officer or his designate;

AND WHEREAS The City of Toronto (the City) funded Toronto and Region Conservation Authority (TRCA) to undertake the Cudmore Creek Wetland and Trailhead Improvements Project, Phase II in 2021 and procurement of construction services through a competitive Request for Tender (RFT) process is required to further advance the project;

AND WHEREAS The City has requested delegated authority be pursued to allow for project implementation to begin in August 2021 to meet timeline requirements of the Investing in Canada Infrastructure Program (ICIP) grant funding;

THEREFORE, LET IT BE RESOLVED THAT the Chief Executive Officer be delegated authority to award Contract #10035673;

AND FURTHER THAT staff report back on the contract award to the Board of Directors at the September 2021 meeting.

BACKGROUND
Cudmore Creek is an urbanized tributary of the Don River located at Pottery Road and Bayview Avenue in Toronto at the southern tip of Crothers Woods, a representative Carolinian forest system designated by the City as an ESA (Environmentally Significant Area). The land is predominantly a City road allowance, with a small portion of the site in the north-eastern section being TRCA property. There is a hydro tower on site that is located within the road allowance and owned by Hydro One Networks Inc. (HONI). Access to the tower has historically been from Pottery Road. This area, having been filled in for emergency works after a sewer line break in the early 1990's, has since been used as an informal parking lot, bringing issues of ongoing illegal dumping and reducing the ecological potential of the site. Conflicts between pedestrians and traffic have resulted in an unsafe intersection that conflicts with a major Metrolinx rail crossing. For Project location and limits, see ***Attachment 1***: Project Area.

In 2015, the City of Toronto, Natural Environment and Community Programs (NECP) staff, working through TRCA Restoration Services, retained Schollen and Company Inc. as a consultant to undertake the Cudmore Creek Wetland and Trailhead Improvements Project. Phase I of this work involved preparing a concept design that included a restored wetland and trailhead feature at Cudmore Creek. The subsequently completed detailed design improves trail connectivity by creating a destination with formal trailhead attributes. Furthermore, the design creates improved ecological and hydrologic functions on the site while addressing access issues. For proposed Project improvements, see ***Attachment 2***: Landscape Concept Plan.

Specific issues and enhancements addressed in the detailed design are:

- Removal of the informal parking area to improve public safety and restore habitat.
- Improvement in pedestrian safety around the Bayview Avenue/Pottery Road intersection and Metrolinx crossing by formalizing pedestrian access and connections.
- Improved user experience with an official, safe, trailhead to the Crothers Woods trails and the East Don Trail.
- Restoration of habitat in an area contiguous with key forest habitat within the City.
- Restoration and improvement of the saturated catchment area to create a wetland.
- Provision of maintenance access to existing infrastructure.
- Separation of the mountain biking trails from pedestrian viewing boardwalk and lookouts, reducing user conflict, and improving safety.

Since 2015, the Cudmore Creek Wetland and Trail Improvements Project has involved extensive coordination and cooperation between Parks, Forestry & Recreation, Transportation Services, Toronto Water, TRCA, HONI, and Metrolinx. It is aligned with the guiding principles and actions of the Toronto Ravine Strategy to protect, invest in, and connect trail accessibility and the natural ecosystem, as well as the objectives of the Natural Environment Trail Strategy, and Biodiversity Strategy. The Cudmore Creek Wetland and Trail Improvements Project will also advance City of Toronto Official Plan policies 3.4.1(b), 3.4.6(b) and 4.3.3(b) to protect, restore and enhance natural heritage features and function, as well as Official Plan policies 2.3.2.1(a), 3.2.3.1(b) and 4.3.3(a) by creating compatible recreational through a high-quality park which improves public access to experiential and educational opportunities to interact with the natural world.

The City previously obtained a HONI permit to undertake work within the vicinity of the tower located within the project limits. This permit has expired, and a renewal is now required. TRCA submitted an updated permit package to HONI on May 26, 2021, to confirm construction methodology and requirements to conduct work within tower limits. HONI anticipates the review of this submission will be approximately eight weeks, with approval targeted for July 2021.

RATIONALE

In 2021, the City retained TRCA under Letter Agreement to undertake the Cudmore Creek Wetland and Trailhead Improvements Project, Phase II to complete project implementation. The Agreement stipulates that procurement of construction services through a competitive RFT process is required to implement the project.

The City has confirmed that the project is an approved recipient of funding through the federal government's Investing in Canada Infrastructure (ICIP) program, COVID-19 Resilience Infrastructure Stream. To meet funding program deadlines, the contract needs to be awarded in

August 2021. All major works must commence at this point to meet the funding program conditions stating that projects must begin by September 30, 2021 and be completed by December 31, 2021. A delay in approval of contract award until the September 24, 2021 Board meeting, and subsequent construction delays, may result in a loss of funding.

In order to be in the best position to execute this project and meet the aggressive timelines associated with the ICIP funding, TRCA proactively released a Request for Pre-Qualification (RFPQ) for general contractors which was publicly advertised on the public procurement website www.biddingo.com on February 26, 2021 and closed on March 11, 2021. General contractors interested in pre-qualifying were advised that to receive a tender package they must meet the following criteria:

- CCDC 11 - 2019 – **Sealed**
    - Completeness and adherence of submission (CCDC 11)
    - Office Personnel/Project Manager Resume (CCDC 11)
    - Site Personnel/Site Supervisor Resume (CCDC 11)
    - List of projects - tender prices provided (CCDC 11)
- Provide a minimum of three (3) relevant projects completed with a similar scope of work and budget as the Cudmore Creek Regeneration Project.
- Provide proof of bonding capacity.
- Provide proof of your company's Health and Safety policy **or** proof of COR certification.
- Provide proof of insurance.
- Provide a statement confirming compliance with the City of Toronto's Fair Wage Schedule.

A total of 13 firms downloaded the documents and seven (7) pre-qualification submissions were received from the following Proponents:

1. CSL Group Ltd.
2. Dynex Construction Inc.
3. Metric Contracting Services Corp.
4. Orin Contractors Corp.
5. Pacific Paving Ltd.
6. R & M Construction
7. Urgiles Brothers Excavating Inc.

The submissions from Orin Contractors Corp. and Pacific Paving Ltd. were disqualified because the contractors did not demonstrate sufficient experience in similar past projects.

An Evaluation Committee comprised of TRCA staff from the Project Management Office and Contract Services & Asset Maintenance teams reviewed the pre-qualification documents based on the above criteria. Based on the evaluation results, RFT documents will be issued to the following five (5) Proponents:

1. CSL Group Ltd.
2. Dynex Construction Inc.
3. Metric Contracting Services Corp.
4. R & M Construction
5. Urgiles Brothers Excavating Inc.

A mandatory meeting will be held onsite shortly after the RFT package has been issued to the qualified proponents.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan
This report supports the following strategic priorities set forth in the TRCA 2013-2022 Strategic Plan:
Strategy 7 – Build partnerships and new business models
Strategy 4 – Create complete communities that integrate nature and the built environment

FINANCIAL DETAILS
Funds for the contract are fully recoverable under Letter Agreement with the City and are tracked in account 117-01.

DETAILS OF WORK TO BE DONE
The following works are required to complete the Cudmore Creek Wetland and Trailhead Improvements Project, Phase II:

- Receipt of updated HONI permit.
- Issuance of RFT and facilitation of procurement process.
- Award of Contract #10035673 through delegated authority.
- Report on Award of Contract at September 2021 Board of Directors Meeting.
- Project implementation.

The targeted timeline to undertake these works are outlined in the below Project Schedule:

Project Schedule	
Milestone	**Date**
HONI permit update review period	May 26, 2021 – July 21, 2021
Issue Request for Tender (RFT)	July 23, 2021
Tender submission deadline	August 11, 2021
Award of Contract through delegated authority	August 13, 2021
Component fabrication by contractor	August 20, 2021 – November 31, 2021
Report on Award of Contract to TRCA Board	September 24, 2021
Onsite implementation start date	October 1, 2021

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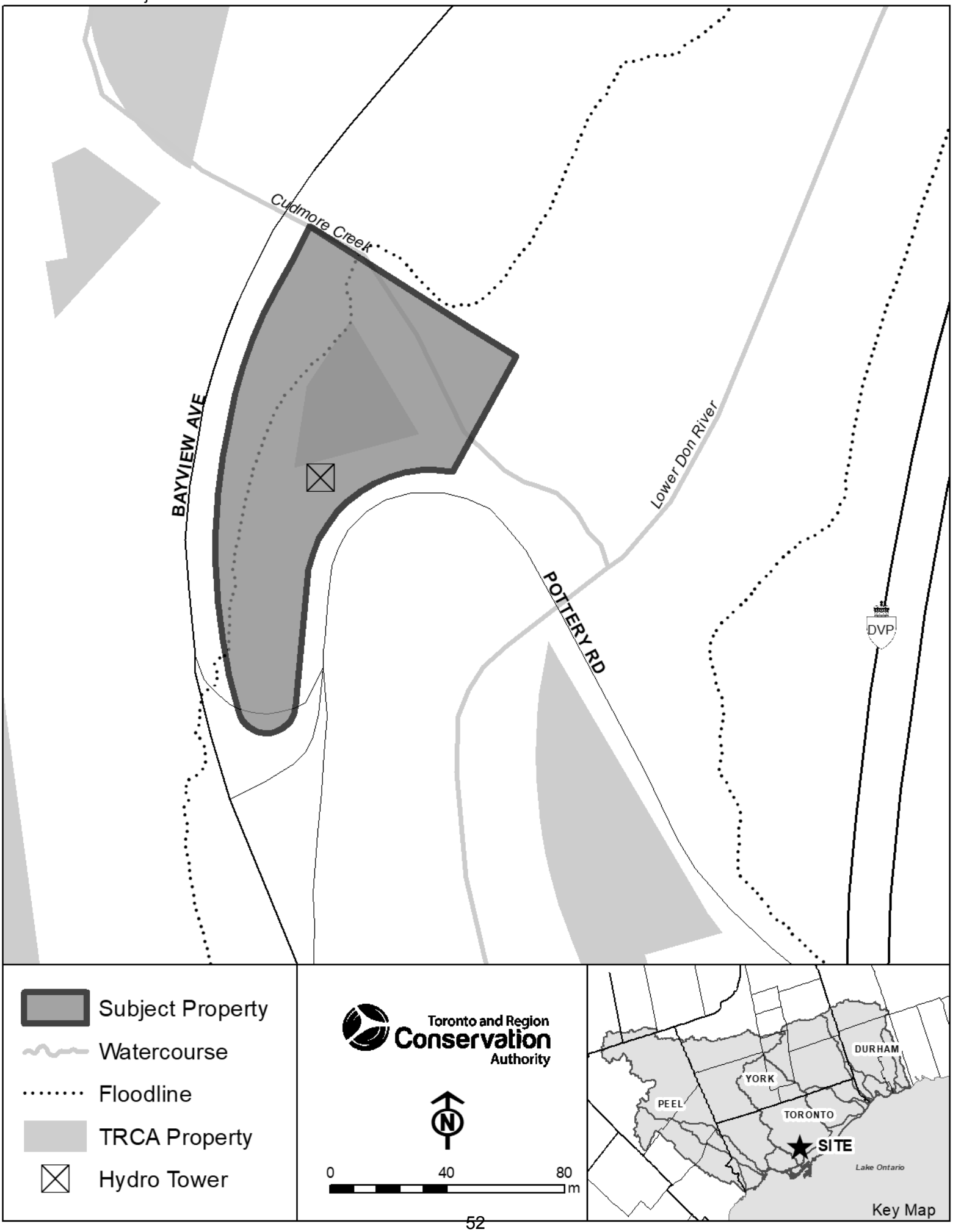
Date: May 31, 2021
Attachments: 2

Attachment 1: Project Area
Attachment 2: Landscape Concept Plan

Attachment 1: Project Area



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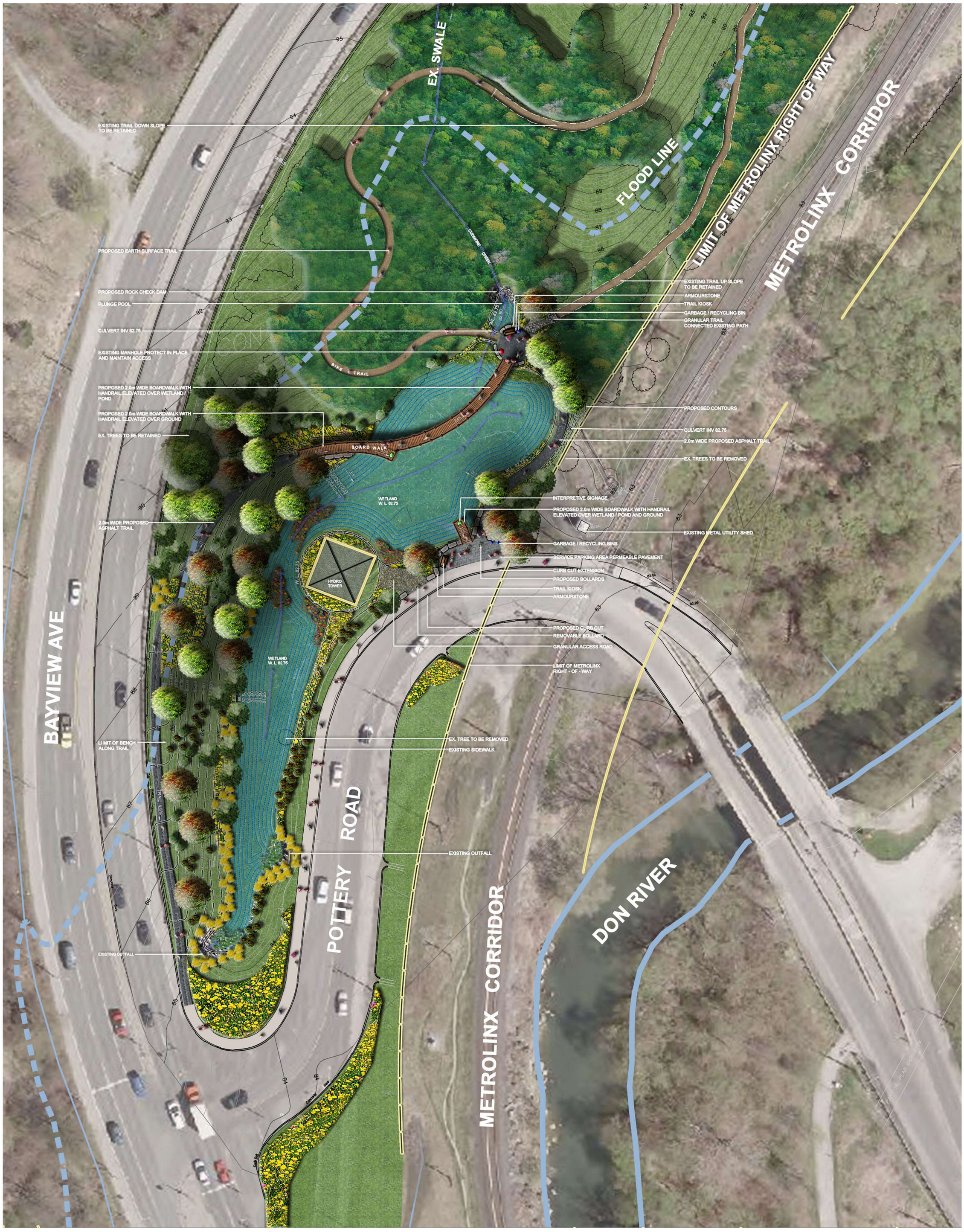
Attachment 2: Landscape Concept Plan



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CUDMORE CREEK TRAILHEAD
LANDSCAPE CONCEPT PLAN

SCHOLLEN & Company Inc.
30 Wertheim Court, Unit 15
Richmond Hill, Ontario L4B 1B9
Tel: 289-695-0009
Fax: 289-695-0010
Email: design@schollenandcompany.com

April 15, 2016

Item 7.8

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Anil Wijesooriya, Director, Restoration and Infrastructure

RE: **DELEGATED AUTHORITY TO AWARD REQUEST FOR TENDER FOR CONSTRUCTION OF HIGHLAND CREEK MULTI-USE TRAIL, PHASE 2 FOR THE MEADOWAY**

KEY ISSUE

Request for delegated authority to the Chief Executive Officer to award any required general contractor services for construction of Phase 2 of The Meadoway Highland Creek multi-use trail between the June and September 2021 Board of Directors meetings.

RECOMMENDATION

WHEREAS no meetings of the Executive Committee and Board of Directors are scheduled for the months of July and August 2021;

AND WHEREAS Resolution #A183/20, adopted at the November 20, 2020 Board of Directors meeting previously delegated the approval of all time sensitive procurements for the months July and August 2021 to the Chief Executive Officer or his designate;

AND WHEREAS the Weston Family Foundation, as the primary funder of The Meadoway project has advised Toronto and Region Conservation Authority (TRCA) to proceed with the tender of the Highland Creek trail construction and has committed to funding this deliverable, should the tender results be deemed acceptable;

THEREFORE, LET IT BE RESOLVED THAT the Chief Executive Officer be delegated authority to award the contract for construction of the Highland Creek Multi-use Trail, Phase 2;

THAT, subject to the approval of funding from the Weston Family Foundation, the Chief Executive Officer be delegated authority to award any contracts plus an appropriate contingency, required to move forward with the construction of the Phase 2 Highland Creek trail, if staff is unable to report to the Board of Directors in July and August and early September as per TRCA Procurement Policy due to timing constraints;

THAT should TRCA staff be unable to negotiate a contract with the successful 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;

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;

AND FURTHER THAT staff report back on the contract award to the Board of Directors at the September 2021 meeting.

BACKGROUND

Led by TRCA, in partnership with Toronto and Region Conservation Foundation, City of Toronto, Hydro One, and the Weston Family Foundation, The Meadoway Project will transform 16 kilometres of hydro corridor in East Toronto including portions of the former boroughs of North York and Scarborough into one of the largest urban linear greenspaces in Canada.

On April 11, 2018, Mayor John Tory along with the Directors of the Weston Family Foundation, and representatives from TRCA and Toronto and Region Conservation Foundation jointly announced the launch of The Meadoway at a ceremony in Scarborough. As part of this announcement, the Weston Family Foundation pledged up to $25 million in support of the project, with a firm commitment of $10 million available immediately to support Phase 1 of the project. The City of Toronto committed $6.3 million to realize the shared vision for The Meadoway by supporting the multi-use trail infrastructure, and to support the City's ongoing operations and maintenance activities in the hydro corridor.

At Authority Meeting #7/18, held on September 28, 2018, an update on The Meadoway and recommendation to advance implementation of key priorities was approved per Resolution #A143/18, in part, as follows:

> *WHEREAS The W. Garfield Weston Foundation has made a $10 million of the $25 million pledge available immediately to TRCA to implement Phase 1 of the project; …*
>
> *THEREFORE LET IT BE RESOLVED THAT with appropriate Board Authority approvals including purchasing approvals, authorized TRCA and LCF officials be directed to take all necessary actions regarding retaining consulting services, the hiring of contract staff including project managers, and the signing and execution of any service agreements within the limit of the confirmed approved funding agreement for Phase 1; …*
>
> *THAT updates be brought back to the Authority on an annual basis as implementation of the project proceeds.*

A budget spanning from 2018-2020 was prepared to support the following key objectives in Phase 1:

- *Education and Community Learning* - Undertaking of engagement and education programs that facilitate opportunities for the community to help implement The Meadoway and utilize this new connection between downtown Toronto and Rouge National Urban Park;
- *Public Relations and Communications* - Undertaking of communications and public relations programs that will effectively position The Meadoway as a world class opportunity for greenspace revitalization;
- *Meadow Revitalization* - Completion of an additional 40 ha of meadow habitat and the continued monitoring and maintenance of 80 ha of habitat in the Meadoway; and
- *Active Transportation and Connections* - Completion of the necessary technical analysis, planning, permitting, and design to provide for a connected 16 km active transportation network across The Meadoway along with beginning implementation for incomplete sections of the trail.

At Board of Directors meeting #8/20 an annual status report was brought forward, and a presentation was made on project. With 2020 being the end of Phase 1 funding, TRCA has now moved into Phase 2 of The Meadoway project.

One of the key deliverables of Phase 1 was the planning and design of the multi-use trail which will run the full 16 km of The Meadoway. The conceptual alignments for the multi-use trail were evaluated through a Municipal Engineers Class Environmental Assessment (Schedule C), which received approval by the Ministry of Environment, Conservation and Parks (MECP) in January of 2020. In support of the project's active transportation and connections objective, implementation of one of the exiting trail gaps at Highland Creek (Section 5) was prioritized for implementation (see Attachment 1). The Highland Creek trail gap spans 1.8 km between Ellesmere Road and Orton Park Road to the west and Neilson Road to the east. It includes a bridge crossing over the Highland Creek and a boardwalk over a wetland on the east side of the river. It also will connect with the Upper Highland Pan Am Path which is currently under construction and when complete will allow users to travel south to the Lake Ontario waterfront.

The Weston Family Foundation approved a carry forward of $3.8M into 2021 to support the implementation of the Highland Creek trail connection. In order to advance the work in an expeditated manner implementation has advanced in two phases. Phase 1 is on TRCA lands and starts at Ellesmere Road and Orton Park Road and extends east across Highland Creek. At Board of Directors meeting #8/20 a request for delegated authority was approved, allowing TRCA to proceed with issuing a Request for Tender and award a contract for general contractor services for Phase 1 of the Highland Creek trail immediately in 2021. Contract #10033680 was awarded to McPherson-Andrews Contracting Ltd. on February 3, 2021 with an update provided to the Board of Directors on February 26, 2021.

Since award, agreements with McPherson-Andrews Contracting Ltd. have been finalized and work has begun on site clearing and preparation, equipment orders have been made, shop drawings have been prepared and reviewed for approval, and fabrication of the pedestrian bridge crossing and boardwalks have started.

Phase 2 of the Highland Creek trail connection at The Meadoway continues the Phase 1 alignment up the slope of the ravine and through the hydro corridor east to Neilson Road. Dillon Consulting Ltd., the engineering consulting firm under contract with TRCA to lead the Environmental Assessment and detailed design process for The Meadoway multi-use trail, is currently working through geotechnical and engineering refinements for Phase 2 of the Highland Creek multi-use trail. It is anticipated that the final design for Phase 2 will be complete in early July of 2021.

RATIONALE

A Request for Pre-Qualification (RFPQ) for general contractors will be publicly advertised on the public procurement website www.biddingo in June 2021.

General contractors interested in pre-qualifying will be advised that the criteria for evaluation will include meeting a series of mandatory and nonmandatory requirements as shown below:

Mandatory Requirements

- 2019 Contractor's Qualification Statement (CCDC 11);
- (3-5yrs) Relevant/compatible Experience (between $3,500,000 to $4,500,000)
- Bonding Verification;
- Insurance Verification;
- Health and Safety Policy Document;

- WSIB Clearance;
- Compliance with the City of Toronto's Fair Wage Schedule;
- A signed Pre-Qualification Form.

Non-Mandatory Requirements

- Project Specific Experience;
- Key Personnel; and
- Construction Management Experience.

Pending approvals of the finalized detailed design from Hydro One Networks Inc. and Infrastructure Ontario, TRCA is targeting release of the tender to all pre-qualified contractors in late July of 2021.

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 3 – Rethink greenspace to maximize its value
Strategy 4 – Create complete communities that integrate nature and the built environment
Strategy 5 – Foster sustainable citizenship
Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS
Based on deliverable refinements, a revised budget of $38.175M for 2018 – 2025 has been estimated for the overall project. $10M was secured from the Weston Family Foundation for Phase 1, with an additional $15M pledged which was contingent on TRCA raising matching funding making the gap in funding currently $13.175M. Because leverage funding has not been secured to date, the Weston Family Foundation is not in a position to release the $15M pledged. However, in order to allow for continued progress on the project, they have approved $1.348M in bridge funding for 2021 to continue to advance meadow restoration and overall project management/coordination. Education, engagement and communications efforts will be suspended or scaled back during this transition. In addition to this, $3.8M for the Highland Creek Trail connection and $584,540 of consolidated unspent funds will be carried over into 2021 from the Phase 1 budget. This brings the total budget supported by the Weston Family Foundation for 2021 to $5,732,580. Terms for an agreement for the new funding of $1.348M in 2021 is currently being discussed. It is understood that this will be considered part of the $15M pledge.

In 2020 TRCA was successful in securing additional funds for the project. To date $1.165M have been leveraged from the following sources:

- $800K – City of Toronto – confirmed reallocation from the Menno-Reesor Restoration Project to contribute to The Meadoway Highland Creek Trail implementation in 2021;

- $175K – City of Toronto through the Investing in Canada Infrastructure Program (ICIP) – confirmed Wayfinding for existing completed trail in 2021;

- $150K - TRCA through Rouge National Urban Park - confirmed for trail upgrades and contribution to meadow restoration in the area abutting the Park for 2021/2022; and

- $40K - Grassland Stewardship Initiative grant to support meadow restoration.

Discussions are currently underway with the Weston Family Foundation to determine how these funds will be applied to 2021 and 2022 budgets and the impact on the $15M they have pledged.

Funds for The Meadoway project are being tracked in account series: 260-01.

DETAILS OF WORK TO BE DONE

TRCA will continue to work with the City of Toronto to seek opportunities for provincial and federal investment in The Meadoway in order to potentially release the $15M pledged by the Weston Family Foundation. TRCA will also continue to work with agencies including Infrastructure Ontario, Hydro One and the City of Toronto to obtain all necessary permissions for works throughout the corridor. The following is an overview of key deliverables for 2021 which have been approved by the Weston Family Foundation, based on the Phase 1 carry over of funds and the additional bridge funding:

- Construction of the Highland Creek trail connection (1.8 km). This includes a bridge over the Highland Creek and a boardwalk over the wetland on the east side of the ravine;
- Restoration management (based on current stage of revitalization) of 104.69 ha of meadow habitat;
- 20.76 ha new meadow established;
- Ongoing stakeholder management and addressing public inquiries;
- Preparation of funding requests to all levels of government; and
- General communications including updates to website (as needed); bi-monthly (or around key events) newsletter release via subscriber list (total six per year); and social media – one post to all platforms per week; one Instagram story per month (total 12).

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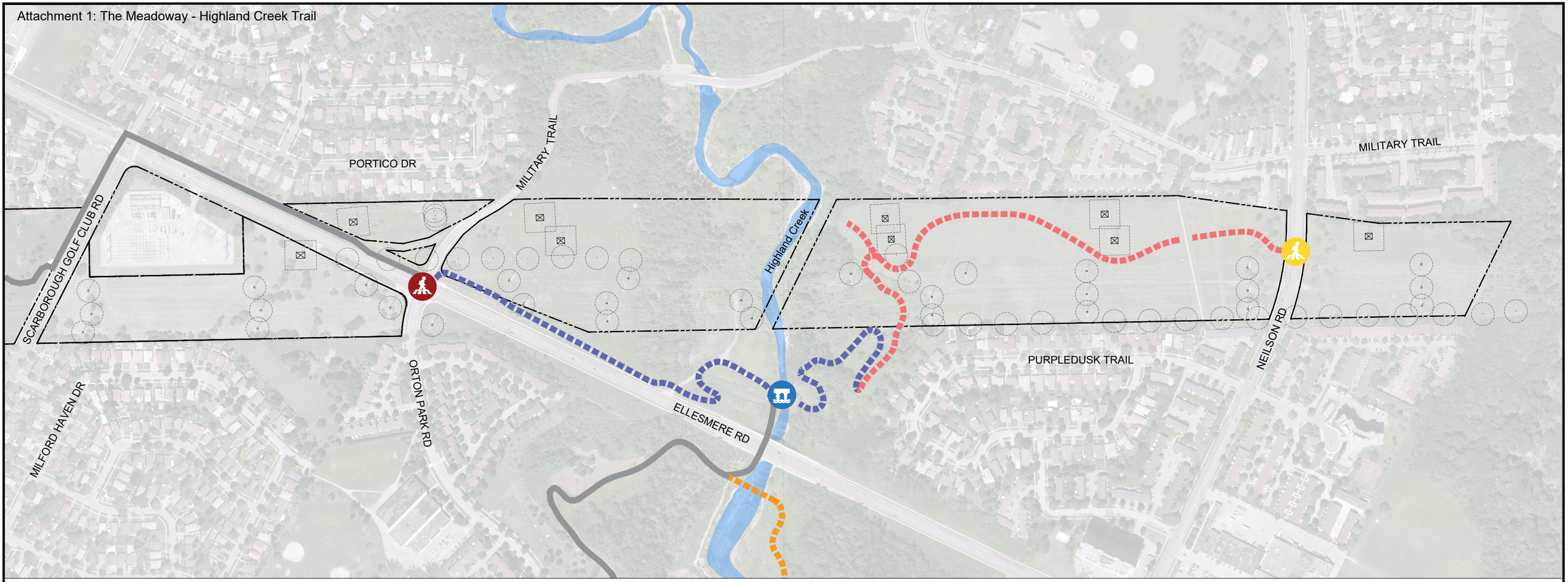
For Information contact: Lisa Turnbull, extension 5645
Emails: lisa.turnbull@trca.ca
Date: May 31, 2021
Attachments: 1

Attachment 1: The Meadoway - Highland Creek Trail

Attachment 1: The Meadoway - Highland Creek Trail



SITE LOCATION MAP

LEGEND

- PROPERTY LINE
- EXISTING GRAVEL TRAIL
- TRAIL - PHASE 1
- TRAIL - PHASE 2
- PAN AM PATH
- 15m BUFFER FROM BASE OF HYDRO TOWER
- PROPOSED AT-GRADE CROSSING
- PROPOSED WATER CROSSING
- EXISTING SIGNALIZED PEDESTRIAN CROSSING
- EXISTING POTENTIAL PEDESTRIAN CROSSING

PLANNING TIMELINES

- 100% detailed design for Phase 1: October 2020
- 100% detailed design for Phase 2: Summer 2021
- Construction of Phase 1 and 2: 2021/22

CONSTRUCTION PHASING

- Phase 1: Orton Park/Military Trail and Ellesmere Rd to Highland Creek Boardwalk
  - o Approx. 885 m of trail
  - o Pedestrian bridge at Highland Creek
  - o Elevated boardwalk through wetland
- Phase 2: Boardwalk to Neilson Road
  - o Approx. 890 m of trail
  - o Pedestrian rest areas and lookout

The Meadoway
COMMUNITY POWERED GREEN SPACES

Toronto and Region Conservation Authority

N

0 200 400
1:5,000 METRES

PROJECT TITLE: **THE MEADOWAY MULTI-USE TRAIL**

DATE: 2020-11-03

DWG. NO **L1**

DRAWING TITLE: **Section 5: Military Trail to Neilson Road Construction Phasing Plan**

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Item 7.9

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Anil Wijesooriya, Director, Restoration and Infrastructure

RE: **APPROVAL IN PRINCIPLE OF THE ALUS PEEL PILOT PROJECT**

KEY ISSUE
To receive approval from Toronto and Region Conservation Authority's (TRCA) Board of Directors to enter a pilot partnership between the Peel Rural Water Quality Program (PRWQP) and ALUS Canada (ALUS).

RECOMMENDATION

WHEREAS TRCA staff deliver the Peel Rural Water Quality Program (PRWQP), on behalf of the Region of Peel within TRCA's jurisdiction, and in partnership with Credit Valley Conservation within their jurisdiction in Peel Region;

AND WHEREAS the PRWQP provides technical and financial support to agricultural producers to implement best management practices and restoration on their properties;

AND WHEREAS the work of ALUS, a non-profit organization that works with farmers to restore and enhance the natural environment on their farms, complements the principles and goals of the PRWQP;

THEREFORE, LET IT BE RESOLVED THAT a 3-year ALUS Peel Pilot Project be endorsed in principle and that TRCA staff be authorized to enter into a Memorandum of Understanding with ALUS, the Region of Peel, and Credit Valley Conservation (CVC) to implement the ALUS Peel Pilot Project, subject to confirmed funding from ALUS;

AND FURTHER THAT ALUS, the Region of Peel, and CVC be so advised.

BACKGROUND
TRCA delivers the PRWQP within our own jurisdiction on behalf of the Region of Peel, with CVC delivering the program within their own jurisdiction. The intention of the PRWQP, launched in 2004, is to support agricultural landowners in achieving their environmental and stewardship goals. As part of this program, TRCA staff provide technical and financial resources to assist agricultural producers with implementing best management practice projects on their farm properties that help protect, restore and enhance surface and groundwater and deliver multiple co-benefits such as improved habitat, carbon sequestration, ameliorated air quality, expansion of greenspace and the natural heritage system, and others. Works implemented through the PRWQP include, but are not limited to, grassland and tree plantings, wetland creation, livestock fencing, nutrient management and erosion management projects.

Decisions on individual project funding and grant applications are made by the Peel Agricultural Advisory Working Group (PAAWG), which is composed of various interests, stakeholders and partners related to agriculture in Peel Region. During 2019-2020, PAAWG approved approximately $212,094 in grants supporting the implementation of 31 voluntary farm

stewardship projects. The grants leveraged an additional $179,273 from project proponents and funders to help complete these projects.

In 2019, TRCA, CVC and Region of Peel staff began discussions with ALUS, originally an acronym for Alternative Land Use Services, to explore alignments between ALUS's program and the PRWQP and the opportunity for these two programs to partner for a pilot in Peel Region. ALUS is a Canadian non-profit organization that works with farmers to restore and enhance the natural environment on their farms thereby providing cleaner air, cleaner water, carbon sequestration, erosion control, flood mitigation, pollinator support and wildlife habitat. ALUS accomplishes this by supporting local, community-led programs in which farmers play a critical role. ALUS originated in 2000 and is active in six provinces, spanning from Prince Edward Island to Alberta and is well regarded in the agricultural community. Currently there are ALUS projects in eight Ontario communities, though none in the Golden Horseshoe.

ALUS shares many of the goals of the PRWQP and embodies many of the same operating principles. Like the PRWQP, ALUS focuses on supporting voluntary stewardship among farmers, with farmers playing a key role in designing and delivering the program at the community level. ALUS is unique, though, in providing annual payments to farmers for the provision of ecosystem services on their land.

Use of an annual payment as a way of recognizing the contribution that farmers make to environmental protection and enhancement can be a significant motivator for behaviour change, in particular for projects such as wetland creation and enhancement. The partnership with ALUS offers a delivery mechanism and funding to test the effectiveness of an annual payment system in motivating Peel farmers to undertake conservation action beyond the levels we have experienced to date with the PRWQP.

As part of this community-focused approach, each ALUS program is managed by a local ALUS Coordinator, which is a role that can be incorporated into existing workplans for staff associated with the local partner organizations delivering the ALUS program. ALUS also stipulates that a Partnership Advisory Committee (PAC), which is made up of agricultural producers and such local stakeholders as municipalities, conservation groups, farm associations and government agencies, makes decisions on individual project approvals and funding. It is anticipated that the existing PAAWG could fill the role of the ALUS PAC in a pilot.

RATIONALE

TRCA is working with ALUS, the Region of Peel, and CVC to develop a tailored approach to combining the PRWQP with ALUS' renowned locally-driven, farmer-to-farmer approach to restoring marginally productive agricultural land to create the ALUS Peel Pilot Project ("the Pilot"). This Pilot would be the first of its kind in the Greater Golden Horseshoe, reflecting the leadership of TRCA, the Region of Peel and CVC in supporting the environmental stewardship work of farmers. This Pilot has been approved by Peel Regional Council on May 27, 2021 (Resolution #2021-536) and by the CVC Board of Directors on June 11, 2021 (Resolution #66/21).

This Pilot will include providing annual payments to participating farmers in recognition of the benefits that such restoration projects provide. Note that not all project types currently funded under the PRWQP would be eligible for inclusion in the ALUS Peel Pilot Project. Currently, the PRWQP offers 16 different best management practice categories, with each category offering its own unique grant rate and cap. Of these categories, only five coincide with the ALUS program: Tree Planting, Livestock Fencing from Environmentally Sensitive Features, Erosion

Control Structures and Natural Area Enhancement and Creation (includes projects such as wetland and grassland creation and/or restoration). Only projects falling under the coinciding five categories will be considered for funding under this Pilot Project.

Once complete, TRCA staff will work with the partners to assess the success of the Pilot, with an eye to continuing the project long term.

Proposed Pilot Project
A three-year pilot project is proposed that complements the existing PRWQP. ALUS would provide additional funding to support environmental stewardship projects carried out by farmers on their lands and thus increase the potential uptake of environmental restoration and enhancement projects by farmers in Peel. The focus would be on lands that are marginally productive, inefficient to farm, or environmentally sensitive. Farmers participating in the three-year Pilot will enter into contract with the program and receive 5 years of annual payments for implementing their project.

It is proposed that the Board of Directors authorize staff to enter into a Memorandum of Understanding ("MOU") with ALUS, Region of Peel and CVC for the ALUS Peel Pilot Project, subject to confirmation of funding from ALUS. The MOU would embody the following principles:

- The Pilot will be an extension to the existing PRWQP, adding value to the existing program and providing national recognition;
- Communication materials used to publicize the Pilot will recognize ALUS as a supplement to the PRWQP;
- The Pilot will be locally led and managed by existing TRCA, Region of Peel and CVC staff within the principles set by ALUS;
- PAAWG will play a key role in advising on implementation of the Project and will be responsible for reviewing and approving applications from individual farmers for funding, fulfilling the role played by the ALUS PAC;
- The funding provided by ALUS will, at a minimum, cover the costs of the annual payments to farmers and the administrative costs above and beyond those related to administration of the PRWQP. The Pilot will not result in additional costs to TRCA, the Region of Peel or CVC. There is also the potential opportunity that ALUS could provide additional funding for on-site project implementation;
- The Pilot may be terminated if Region of Peel Council does not provide sufficient funds to implement the PRWQP at any point;
- The partners will evaluate the efficacy, benefits and costs of the Pilot and may extend the Pilot beyond the initial three-year term.

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 5 – Foster sustainable citizenship
Strategy 7 – Build partnerships and new business models
Strategy 10 – Accelerate innovation

FINANCIAL DETAILS
Capital funding to support the PRWQP is provided by the Region of Peel (TRCA account 126-70). Program staff also apply to other funding sources when available, such as the Remedial Action Plan which is part of the greater Canada-Ontario Agreement Respecting the Great Lakes Basin. Over the course of the three-year pilot, ALUS has committed to contribute a minimum of

approximately $218,000 to the pilot across both TRCA and CVC jurisdictions in Peel Region, pending confirmation of required funding. The PRWQP is expected to bring approximately $278,000, including in-kind, to the Pilot over the same time period.

DETAILS OF WORK TO BE DONE

If the Pilot is supported by the Board, the MOU will be signed by all four parties (Region of Peel, TRCA, CVC, ALUS). Subsequent to executing the MOU, the partners, with PAAWG's participation, will develop Pilot guidelines addressing items such as the types of farmer-initiated projects that will be eligible for funding and procedures for project administration. Relevant Pilot guidelines may also be included in the MOU.

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Date: April 26, 2021

Item 7.10

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Anil Wijesooriya, Director, Restoration and Infrastructure

RE: **TOMMY THOMPSON PARK UPDATE**

KEY ISSUE
To provide an update on Tommy Thompson Park Joint Management with City of Toronto.

RECOMMENDATION

WHEREAS at Council Meeting #34 on June 8, 2021 the City of Toronto Council approved a report which recommends the establishment of a Tommy Thompson Park Joint Management Committee in 2021 that includes representation from City of Toronto, TRCA, CreateTO, PortsToronto and the Ontario Ministry of Natural Resources and Forestry, for the purpose of integrated management of the three existing property components that comprise the Leslie Street Spit, and will be collectively known as the future Tommy Thompson Park;

AND WHEREAS City Council directed the preparation of a three-year work program by the Tommy Thompson Park Joint Management Committee;

LET IT BE RESOLVED THAT TRCA staff be directed to participate in the Tommy Thompson Park Joint Management Committee as described in the City of Toronto Council report;

THAT staff be directed to work with City of Toronto to prepare the 2022 budget request;

THAT staff report back on actions and initiatives of the Joint Management Committee in 2024 at the completion of the three-year work program;

THAT staff report back on integration of MNRF owned lands into Tommy Thompson Park prior to the lands being transferred to TRCA ownership;

AND FURTHER THAT staff report back on the proposed public and stakeholder consultation model related to the Joint Management Committee in Q4 2021.

BACKGROUND
Tommy Thompson Park is one of TRCA's most popular and ecologically significant properties with over 250,000 visitors per year. This pet-free urban wilderness is located on the Leslie Street Spit, a 500-hectare lakefill site under construction by PortsToronto since 1959. Through natural succession and strategic habitat creation and enhancement projects implemented by TRCA, along with advocacy by community groups such as Friends of the Spit, the Leslie Street Spit has evolved into a wilderness that supports rich flora and fauna communities. It is designated as a globally significant Important Bird Area by Birdlife International and its Canadian partners Nature Canada and Birds Canada, and it is designated as an Environmentally Significant Area in the City of Toronto Official Plan.

Ownership of 247 hectares was transferred to TRCA in 1984 and is officially known as Tommy Thompson Park. The remaining land, currently owned by the Ontario Ministry of Natural Resources and Forestry (MNRF) under lease to PortsToronto, is expected to be transferred to TRCA for integration into Tommy Thompson Park upon lakefilling completion and shoreline stabilization. The Baselands, located at the entrance to Tommy Thompson Park, will remain owned by CreateTO and the City of Toronto.

The Leslie Street Spit is constructed largely of brick and concrete rubble and does not include any formal shoreline protection as compared to other City of Toronto waterfront parks. The TTP shoreline is an informal shoreline influenced by natural processes, necessitating ongoing monitoring and maintenance related to erosion impacts to ensure structural integrity and hazard mitigation (e.g. exposed rebar concrete rubble on trails from wave uprush). Based on these conditions and limited resources to address the issues, the shoreline is not safe for public use. TRCA and the City of Toronto will continue to work with MNRF, PortsToronto and other stakeholders to understand the options and costs associated with installing a formal engineered shoreline, where required. Shoreline stabilization costs, operational considerations, and other associated matters will be addressed in a future report once more information is available.

In August 1973, the Provincial Cabinet gave TRCA " the responsibility of being the Province's agent with regard to the proposed Aquatic Park (now Tommy Thompson Park) and the preparation of a master plan". In 1977, TRCA’s mandate was expanded to include not only the preparation of a master plan, but also development and interim management. The Tommy Thompson Park Master Plan and Environmental Assessment was approved in 1995, and the first phase of Master Plan implementation was completed in 2012. However, Tommy Thompson Park remains under Interim Management as the 1995 Master Plan cannot be fully implemented until the remaining MNRF land under lease to PortsToronto is transferred. In the interim, the approved Master Plan guides park management and development and has been the foundation of TRCA’s Tommy Thompson Park Interim Management program.

Under the 1972 Management Agreement between the City of Toronto and TRCA, the City of Toronto is responsible for the management of TRCA-owned lands within the City of Toronto (with the exception of Black Creek Pioneer Village) once TRCA has prepared and implemented Master Plan work. With the completion of Phase One Master Plan implementation at Tommy Thompson Park in 2012, TRCA and City of Toronto developed the Tommy Thompson Park Joint Management Plan as a framework for co-management to meet the unique needs of an urban wilderness park. The Tommy Thompson Park Joint Management Plan reinforces the vision for the park as set out in the Master Plan, identifies priorities, defines the roles and expectations between TRCA and the City, and defines the principles and practices for park management. The Tommy Thompson Park Joint Management Plan was previously received as an item for information of the Board. At Authority Meeting held on May 27, 2011, Resolution #A113/11 was approved as follows:

> *IT IS RECOMMENDED THAT the Toronto and Region Conservation Authority (TRCA) and City of Toronto Joint Management Plan for Tommy Thompson Park (TTP) be received.*

TRCA and City of Toronto Parks, Forestry and Recreation have jointly managed Tommy Thompson Park since late 2012. TRCA leads the natural heritage management, communications, and environmental programming of the park. While the City of Toronto provides maintenance of the buildings, parking lot, and addresses public inquiries that are made through 311 with assistance from TRCA.

Since 2015, the City of Toronto has invested in capital improvements at, and around Tommy Thompson Park. Key improvements include design and construction of the Martin Goodman Trail along Unwin Avenue and the Link Trail connection to the Tommy Thompson Park Multi-use Trail along Outer Harbour Marina Road; development and implementation of a wayfinding strategy; and design and construction of the entrance pavilion washroom facility.

TRCA has also continued to improve the ecological significance of the park through habitat restoration projects. Building upon previous successes and the works completed as part of Phase One Master Plan implementation, an additional 32.4 hectares has been created and enhanced by leveraging capital funds to secure $2.4 million grant and private funding for these projects since 2012.

TRCA has been actively delivering education programs at Tommy Thompson Park since 2003 and has been implementing the Community Learning and Achievement model since 2015. Between 2016 and 2020, a total of 25,385 participants have been engaged through programming representing over 42,000 learner hours. The education business model focuses on building financial resilience through a diverse revenue generation strategy.

TRCA has observed a noticeable increase in visitor numbers at Tommy Thompson Park over the last five years. In 2020, trail counters were installed at the park to provide updated estimates of visitor use. The total number of visitors recorded between February 28, 2020 and February 26, 2021 was approximately 286,500.

Stakeholder engagement and public consultation have been important components for park development. In addition to numerous public meetings during the Master Plan and Environmental Assessment process, TRCA established stakeholder advisory groups. The first official group was the Natural Area Advisory Committee (1987-1992) that provided comment on the Master Plan process. This committee continued to meet ad hoc in the 1990s and was re-formalized as the Tommy Thompson Park Advisory Committee (2002-2011) which was instrumental during Phase One Master Plan implementation. The Tommy Thompson Park User Group (2011-2020) provided guidance and insight on restoration and capital improvement projects.

Since 1987 TRCA has also hosted many public meetings, workshops, information sessions and working groups to seek public and user group input and feedback. As a result of the pandemic, virtual engagement platforms have been effectively utilized to disseminate important information to the public. Most recently, TRCA and PortsToronto, with involvement of Councillor Paula Fletcher, hosted a public information webinar in February 2021 to advise park users of upcoming operational activities.

The attached City of Toronto report was adopted at the June 8, 2021 Toronto City Council meeting. This report provides context to Tommy Thompson Park and outlines recommendations for property integration; a robust Joint Management model moving forward, including the development of a Joint Management Committee with representatives from all landowners and managers of the Leslie Street Spit; development of a long-term governance and management model; and development of a budget request for implementation of the recommendations and management of the park.

RATIONALE

There has recently been a significant increase in the number of visitors at Tommy Thompson

Park, notably since the start of the pandemic (approximately 286,500 visits in 2020). Coupled with the surrounding land use changes and planned Port Lands development, it is expected that visitor numbers will remain high and continue to increase in the future. The increase in visitors and associated rise of incompatible activities and bylaw infractions is resulting in negative impacts on the park's ecology, as well as increased user conflicts (e.g. trail use conflicts). Furthermore, visitors do not understand the complicated ownership and management structure of the Leslie Street Spit and perceive the entire landform as Tommy Thompson Park. The split ownership also has impacts on the ability to enforce municipal bylaws, as they are only applicable within Tommy Thompson Park proper.

Additionally, Tommy Thompson Park is experiencing pressure from wildlife use of the site including nesting pressure from Double-crested Cormorants, tree removals by American beavers, and human interference of wildlife including waterfowl feeding, unethical owl photography, intrusion into sensitive breeding habitats and competing recreational uses.

These pressures have stretched TRCA resources and staff are concerned about these threats impacting the ecological integrity of the site, which when considered with the added threat of climate change and the anticipated continued increasing human use, present significant management challenges.

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 8 – Gather and share the best sustainability knowledge

FINANCIAL DETAILS
Funding for TRCA's role in the Joint Management of Tommy Thompson Park totals $354,000 per annum and is broken down as follows. The amount of $270,000 is available in the Tommy Thompson Park Interim Management account 210-19 and covers activities including project management and administration, implementation of the TTP Cormorant Management Strategy, wildlife management and monitoring, and invasive species management. Funds totaling $50,000 in the Tommy Thompson Park-Cell Capping account 210-04 for wetland monitoring and management, and $34,000 in the Waterfront/Moraine Migratory Bird Corridor Program account 113-48 for songbird migration monitoring at Tommy Thompson Park. Senior management activities related to Tommy Thompson Park are funded through operating budgets.

Recognizing the current pressures at Tommy Thompson Park, TRCA has taken the following measures to help mitigate issues at the location. TRCA increased weekend staffing for public engagement and park interpretation to help address incompatible uses that are impacting the ecological integrity of the park. TRCA Enforcement and Compliance staff and City of Toronto Municipal Licensing and Standards enforcement staff have been deployed to assist on weekends during peak hours. Despite the additional measures taken, TRCA staff continue to express concern regarding the increased demands on park space and associated costs.

Looking forward to address growing public recreational use, improve customer service standards, and achieve effective long-term management, TRCA staff currently anticipate an annual cost to operate and manage TRCA's responsibilities of the Joint Management Plan, including participation in the Joint Management Committee at approximately $845,000,

exclusive of shoreline maintenance, shoreline restoration and project management costs, or any special projects (e.g. public/stakeholder consultation related to the creation of a visitor experience plan). To maintain a minimum service standard, staff estimate an additional $270,000 of operational support needs to be secured for 2022.

Shoreline protection and maintenance is not currently funded. Opportunities for erosion protection include yearly maintenance of the informal shoreline in perpetuity, implementation of a fully engineered shoreline, or a hybrid approach allowing for maintenance in perpetuity coupled with construction of long-term stabilization measures. Preliminary TRCA estimated costs approximate $1.5M annually for maintenance and $50M - $100M for formal shoreline protection. Costs vary significantly depending on the degree of long-term stabilization required.

DETAILS OF WORK TO BE DONE

TRCA will participate in the Joint Management Committee and will work collaboratively to develop a plan for integration of all the Leslie Street Spit properties into Tommy Thompson Park. The committee will report back to the City of Toronto Infrastructure and Environment Committee prior to the incorporation of non-TRCA or City owned lands into Tommy Thompson Park. A key issue for the transfer of MNRF lands to TRCA is confirmation/demonstration that the constructed shorelines are stable and meet the standards of TRCA/City of Toronto. A report providing an update on the status of the shoreline is forthcoming to the Board of Directors. Consolidation of the lands will mitigate the challenge of enforcement jurisdiction and allow for completion of Master Plan implementation, pending funding.

The Joint Management Committee will also prepare a three-year work program to:

- Develop a coordinated and comprehensive approach to the operations, maintenance and visitor experience across the entire site;
- Create a balanced visitor experience plan that considers public access and ecological integrity;
- Undertake community and stakeholder consultation, including Indigenous engagement, to inform the visitor experience plan; and
- Develop coordinated policy and enforcement approaches related to filming, dogs, trail conflicts and similar issues.

TRCA is currently developing a robust public and stakeholder consultation model to ensure that all park users, including ones who have just discovered Tommy Thompson Park, are engaged and connected. The consultation model will seek meaningful input and include clear, transparent communication via a number of platforms (e.g. in-person and virtual) to ensure that consultation is inclusive and represents broad park users.

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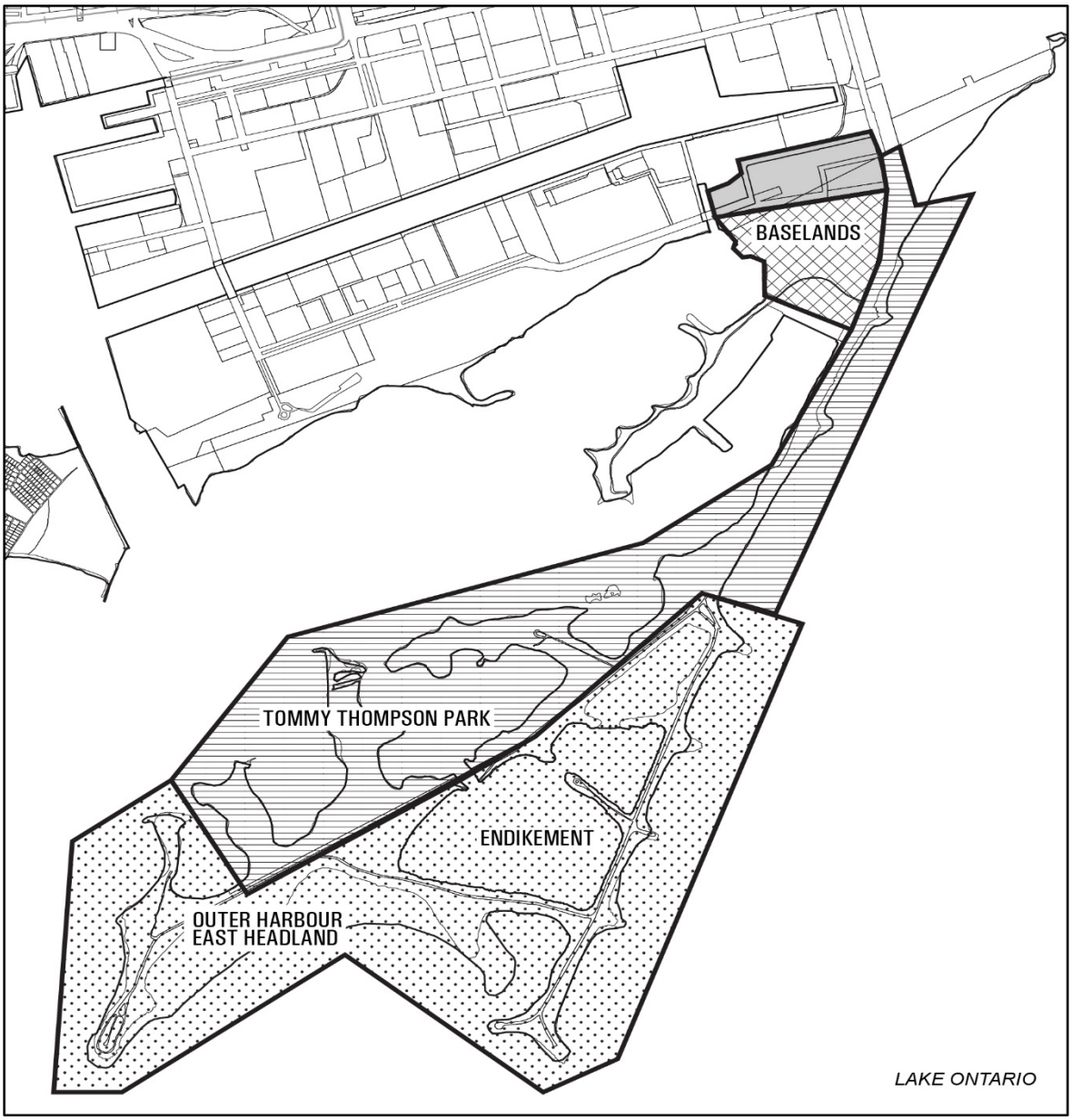
Date: June 16, 2021
Attachments: 3

Attachment 1: Leslie Street Spit Ownership Map
Attachment 2: City of Toronto Council Report
Attachment 3: City of Toronto Report for Action

Attachment 1: Leslie Street Spit Ownership Map



TORONTO

1 Leslie Street

Leslie Street Spit Land Ownership

CreateTO
City of Toronto
TRCA
MNRF leased to PortsToronto

Not to Scale
05/06/2021

TORONTO Item

Tracki g Status

- City Council adopted this item on June 8, 2021 without amendments.
- This item was considered by the Infrastructure and Environment Committee on May 25, 2021 and adopted without amendment. It will be considered by City Council on June 8, 2021.

City Council consideration on June 8, 2021

IE22.5	ACTION	Adopted		Ward: 14

Tommy Thompson Park Update

Committee Recommendations

The Infrastructure and Environment Committee recommends that:

1. City Council request the General Manager, Parks Forestry and Recreation, to work with the Toronto and Region Conservation Authority to establish a Tommy Thompson Park Joint Management Committee in 2021, and to include representation from CreateTO, PortsToronto and the Ontario Ministry of Natural Resources and Forestry, for the purpose of integrated management of the three existing property components that comprise the Leslie Street Spit, and will be collectively known as the future Tommy Thompson Park, composed of:

    a. Tommy Thompson Park: currently owned by the Toronto and Region Conservation Authority and managed in partnership with the Parks, Forestry and Recreation Division;

    b. lands referred to as the "Outer Harbour East Headland and Endikement" currently owned by Ontario's Ministry of Natural Resources and Forestry and managed by PortsToronto; and

    c. lands referred to as the "Baselands", currently owned by CreateTO, the City and PortsToronto.

2. City Council direct the Staff-level Tommy Thompson Park Joint Management Committee in Part 1 above, to prepare a three-year work program that will address the following matters:

    a. develop a coordinated and comprehensive approach to the operations, and maintenance and visitor experience across the lands;

    b. create a visitor experience plan that strikes the balance between public access and ecological integrity;

    c. undertake a community and stakeholder consultation process, including engaging with the broader Indigenous communities, to inform the visitor experience plan; and

d. develop coordinated policy and enforcement approaches related to filming, dogs, trail conflicts, and similar issues.

3. City Council request the General Manager, Parks, Forestry and Recreation, in co-ordination with the Toronto and Region Conservation Authority and CreateTO, to report back to the Infrastructure and Environment Committee, prior to the incorporation of the lands currently owned by the Ontario Ministry of Natural Resources and Forestry and managed by PortsToronto, and including the integration of the Baselands and the new Ashbridges Bay Landform into Tommy Thompson Park, with recommendations related to the long-term governance and management of Tommy Thompson Park.

4. City Council request the General Manager, Parks Forestry and Recreation, and the Toronto and Region Conservation Authority, to develop a budget request for the management of Tommy Thompson Park and implementation of the recommendations above, to be submitted through the 2022-2031 Capital and Operating Budget process.

Background Information (Committee)

(May 10, 2021) Report and Attachments 1 and 2 on Tommy Thompson Park Update
(http://www.toronto.ca/legdocs/mmis/2021/ie/bgrd/backgroundfile-166869.pdf)
Presentation from the General Manager, Parks, Forestry and Recreation on Tommy Thompson Park Update
(http://www.toronto.ca/legdocs/mmis/2021/ie/bgrd/backgroundfile-167148.pdf)

Communications (Committee)

(May 20, 2021) E-mail from Erika Ritter (IE.Supp)
(May 22, 2021) E-mail from Margaret Kelch (IE.Supp)
(May 20, 2021) Letter from John Carley and Garth Riley, Co-Chairs, Friends of the Spit (IE.Supp)
(http://www.toronto.ca/legdocs/mmis/2021/ie/comm/communicationfile-132099.pdf)
(May 24, 2021) E-mail from Sarah Box (IE.Supp)
(May 24, 2021) E-mail from Laura Murray (IE.Supp)

Motions (City Council)

Motion to Adopt Item ***(Carried)***

Vote (Adopt Item)

Jun-08-2021 10:41 AM

Result: Carried	Majority Required - IE22.5 - Adopt the Item
Yes: 25	Paul Ainslie, Ana Bailão, Brad Bradford, Mike Colle, Gary Crawford, Joe Cressy, John Filion, Paula Fletcher, Michael Ford, Mark Grimes, Stephen Holyday, Cynthia Lai, Mike Layton, Nick Mantas, Josh Matlow, Jennifer McKelvie, Denzil Minnan-Wong, Frances Nunziata (Chair), James Pasternak, Gord Perks, Anthony Perruzza, Jaye Robinson, Michael Thompson, John Tory, Kristyn Wong-Tam
No: 0	
Absent: 1	Shelley Carroll

Infrastructure and Environment Committee consideration on May 25, 2021

Source: Toronto City Clerk at www.toronto.ca/council

TORONTO

REPORT FOR ACTION

Tommy Thompson Park Update

Date: May 10, 2021
To: Infrastructure and Environment Committee
From: Chief Planner and Executive Director, City Planning
General Manager, Parks, Forestry and Recreation
Wards: Ward 14 - Toronto-Danforth

SUMMARY

Tommy Thompson Park (the Park) is the largest component of the broader Leslie Street Spit (the Spit), located at the base of Leslie Street where it meets the shore of Lake Ontario; all components of the Spit will ultimately be consolidated as Tommy Thompson Park (see Attachment 1). The Park is designated in the Official Plan as an Environmentally Significant Area and is recognized internationally as a Canadian Important Bird Area for supporting the conservation of birds and their habitat. The Park is owned by Toronto and Region Conservation Authority (TRCA) and managed in partnership between TRCA and the City of Toronto. The Park demonstrates that nature can flourish in cities and contribute to the well-being of city residents; only minutes from downtown, the Park is an escape from the city, and a place to marvel at the force of nature. It is a pet-free urban wilderness that exists as the result of decades of careful management and stewardship of natural succession and habitat restoration processes by TRCA with the support of the City, community groups, and other partners. Its significant and diverse aquatic and terrestrial environments provide habitat for at-risk species who are otherwise challenged by the interrelated impacts of habitat loss, habitat fragmentation, urbanization and climate change.

The Park's evolution into an urban wilderness can also be attributed to the work of advocacy groups like the Friends of the Spit, founded in 1977 by naturalists advocating for the Spit to grow naturally, without development and the privatization of uses. Their determination and persistence resulted in the selection of the natural area option as the basis for the approved Tommy Thompson Park Master Plan. Friends of the Spit, along with the previous TRCA-established Natural Area Advisory Committee (1987-1992), Tommy Thompson Park Advisory Committee (2002-2011) and Tommy Thompson Park User Group (2011-2020), continue to be important advocates for the Spit and the Park.

The Park has grown in popularity as it has matured into a natural landscape, attracting residents and tourists wanting to share in the unique experience of visiting an Ontario wilderness within sight of the downtown skyline. As the city continues to grow and intensify, and as precincts of the Port Lands are revitalized as new mixed-use communities as per the Port Lands Planning Framework, the Park will play an increasingly important role as a space for passive and active recreational uses.

However, in order to maintain the Park's ecological integrity, which is what attracts many visitors in the first place, the Park's role as both a unique wilderness and a signature waterfront park must be balanced. Ensuring this balance is a core objective of the City, TRCA, and advocacy groups. Together, the City, TRCA, and other stakeholders all have a role to play in ensuring that the Park continues to be a place not only for native flora and fauna to call home, but for the thousands of residents and visitors to use as their escape to nature within the city; estimates of annual visitors to the Park are currently 250,000-300,000 people per year. TRCA have also offered Community Learning and Education programs at the Park with an emphasis on program growth in recent years. Between 2016 and 2019, over 20,000 participants were engaged through on-site programming.

The purpose of this report is to recommend the establishment of a Joint Management Committee for the management of Tommy Thompson Park and the rest of the Leslie Street Spit: the "Outer Harbour East Headland and Endikement" component that is currently owned by the Ministry of Natural Resources and Forestry (MNRF) and managed by PortsToronto; as well as the "Baselands" component that is owned and managed by CreateTO, the City and PortsToronto, as shown in Attachment 1. The proposed Committee will include management-level staff, be co-chaired by Parks, Forestry and Recreation and TRCA, and will include representatives of PortsToronto, CreateTO, and MNRF. The Committee will ensure that there is a coordinated and comprehensive approach to operations, maintenance, by-law enforcement, and visitor experience across the Park and the rest of the Leslie Street Spit. The Joint Management Committee will also be responsible for coordinating the process of consolidating the three components of the Spit into a singular entity which will collectively use the name Tommy Thompson Park once integrated.

To that end, the Joint Management Committee will develop a property transfer plan with the MNRF and PortsToronto for the Outer Harbour East Headland and Endikement (see Attachment 1) to ensure that the lands are transferred to TRCA and incorporated into Tommy Thompson Park. The property transfer plan will include a detailed work program with a timeline addressing the path to the resolution of longer term issues including: property transfers, integration of the Baselands and the new Ashbridges Bay Landform into the Park, the long-term use of Cell 3 for the deposition of dredgeate, shoreline safety, stabilization, remediation, and restoration, and associated costs for City divisions and agencies. The Joint Management Committee will remain in place until these longer-term issues are resolved.

The Joint Management Committee will also be responsible for updating and advancing the formal execution of a Joint Management Agreement for Tommy Thompson Park. In addition to clearly outlining the roles and responsibilities for various aspects of the Park's operation, the Joint Management Agreement will consider the need to develop and implement coordinated policies that address user issues such as filming, dog walking, recreational interests such as sailing and other boat activity, cyclist/pedestrian conflicts and by-law enforcement. The Committee will also develop and implement a clear communications strategy that helps the public understand how the Park is managed and how public concerns can be raised and addressed. The Committee will work with TRCA staff on a process for securing community input related to decision-making on potential new projects and programs. City staff will report to the appropriate

City Committees in future years on the resolution of the longer-term issues that will facilitate property consolidation, address shoreline stability, remediation, and restoration, and collaboratively develop a permanent operating and maintenance model for the Park. Staff will also report through future year budget processes on future operating and capital budget needs. The ultimate goal of the proposed Committee's activities will be to ensure that Tommy Thompson Park's user experience befits its unique and signature status as a regional destination where visitors can experience an urban wilderness on Toronto's waterfront.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning, and the General Manager, Parks, Forestry and Recreation, recommends that:

1. City Council request the General Manager, Parks Forestry and Recreation, to work with Toronto and Region Conservation Authority, to establish a Tommy Thompson Park Joint Management Committee in 2021, and to include representation from CreateTO, PortsToronto and the Ontario Ministry of Natural Resources and Forestry, for the purpose of integrated management of the three existing property components that comprise the Leslie Street Spit, and will be collectively known as the future Tommy Thompson Park, comprised of:

a. Tommy Thompson Park: currently owned by Toronto and Region Conservation Authority and managed in partnership with the Parks, Forestry and Recreation Division;

b. lands referred to as the "Outer Harbour East Headland and Endikement" currently owned by Ontario's Ministry of Natural Resources and Forestry and managed by PortsToronto; and

c. lands referred to as the "Baselands", currently owned by CreateTO, the City and PortsToronto.

2. City Council direct the Staff-level Tommy Thompson Park Joint Management Committee in Part 1 above, to prepare a three-year work program that will address the following matters:

a. develop a coordinated and comprehensive approach to the operations, and maintenance and visitor experience across the lands;

b. create a visitor experience plan that strikes the balance between public access and ecological integrity;

c. undertake a community and stakeholder consultation process, including engaging with the broader Indigenous communities, to inform the visitor experience plan; and

d. develop coordinated policy and enforcement approaches related to filming, dogs, trail conflicts, and similar issues.

3. City Council request the General Manager, Parks, Forestry and Recreation, in co-ordination with Toronto and Region Conservation Authority and CreateTO, to report back to the Infrastructure and Environment Committee, prior to the incorporation of the lands currently owned by the Ontario Ministry of Natural Resources and Forestry and managed by PortsToronto, and including the integration of the Baselands and the new Ashbridges Bay Landform into Tommy Thompson Park, with recommendations related to the long-term governance and management of Tommy Thompson Park.

4. City Council request the General Manager, Parks Forestry and Recreation, and Toronto and Region Conservation Authority, to develop a budget request for the management of Tommy Thompson Park and implementation of the recommendations above, to be submitted through the 2022-2031 Capital and Operating Budget process.

FINANCIAL IMPACT

There is no financial impact associated with the recommendations in this report.

Parks, Forestry and Recreation has absorbed the interim maintenance on the City-maintained portion of Tommy Thompson Park through the annual operating budget. Interim maintenance has ranged between $0.100 million and $0.250 annually between 2016 and 2020 for general maintenance.

The 2021 Council Approved Capital Budget for TRCA includes annual funding of $0.354 million for the Tommy Thompson Management Program including Cell 2 capping and Waterfront-Moraine Migratory Bird Corridor activities. TRCA will also continue working with the City and senior levels of government to secure funding for capital shoreline and restoration works at the Park as opportunities present themselves.

Future year operating and capital budget submissions (2022 and beyond) for Tommy Thompson Park will be necessary for programming, operating, improving and maintaining the park, as well as implementing the recommendations addressed in this report, and will be subject to consideration and approval by Council. Future year budget submissions may also include requests for capital funding.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the financial impact section.

DECISION HISTORY

On March 7, 2019, City Council requested the Chief Financial Officer and Treasurer and the Deputy City Manager, Community and Social Services to consider, as part of the 2020 Budget Process, increasing the City's funding for Toronto and Region Conservation Authority by $130,000 to fund the operation of a public shuttle service in Tommy Thompson Park. City Council requested that, as a part of those considerations the General Manager, Parks Forestry and Recreation, in conjunction with Toronto and Region Conservation Authority, review other sources for these funds, including

requesting financial assistance from the PortsToronto for this public shuttle service, and provide an update on these efforts to the September 9, 2019 meeting of the Infrastructure and Environment Committee. This proposed budget increase was denied as part of the 2020 Budget Process.

At the same meeting, City Council requested the Chief Executive Officer of Toronto and Region Conservation Authority, in consultation with the General Manager, Parks, Forestry & Recreation, the Executive Director, Municipal Licensing and Standards and the local Councillor, to develop a transition timeline to identify the operating costs associated with the transfer of the property adjacent to Tommy Thompson Park for consideration as part of a future year budget process in accordance with the Tommy Thompson Park Master Plan as approved by a Provincial Order-in-Council.

COMMENTS

BACKGROUND AND CONTEXT

Ownership and Management of Tommy Thompson Park and Adjacent Lands

Tommy Thompson Park, the TRCA-owned urban wilderness park, is located on the Leslie Street Spit (the Spit), a five-kilometer-long constructed landform extending into Lake Ontario at the foot of Leslie Street.

The Leslie Street Spit, which includes Tommy Thompson Park, is owned and managed by TRCA, the City, and MNRF as shown in Attachment 1 and described in the table below. The Spit measures approximately 500 hectares (ha) of combined land and water, and is comprised of*:*

Land Component	Size (hectares)	Ownership	Management
Tommy Thompson Park	247	TRCA	TRCA / PFR
Outer Harbour East Headland and Endikement	216	Ministry of Natural Resources and Forestry	PortsToronto
Baselands	37	CreateTO / City	CreateTO / City

The lands that are now Tommy Thompson Park (247 ha) were transferred to Toronto and Region Conservation Authority (TRCA) by the Province in 1984. Since 1976, a portion of Tommy Thompson Park (9 ha) has been under licence agreement to the Aquatic Park Sailing Club (APSC).

The Outer Harbour East Headland and Endikement (216 ha) are owned by the Province through the Ministry of Natural Resources and Forestry and are to be transferred to TRCA upon completion of lakefilling activities. PortsToronto currently has a lease

scheduled to end in October 2024 (pending lease execution). The 16 hectares associated with the Cell 1 and Cell 2 Wetlands (restored confined disposal facilities) are functionally managed by TRCA and the City, since PortsToronto activities in these areas have ceased and the City and TRCA recognize the value of wetland creation and public use of this area. PortsToronto continues to operate Cell 3 for disposal of sediment removed during annual dredging operations in the Keating Channel.

The Baselands (37 ha) are located south of Unwin on the north side of the Spit and are owned by CreateTO and the City of Toronto with an easement granted to PortsToronto. The 100-car parking lot that services the Park is located on CreateTO property under licence agreement to TRCA. The new Entrance Pavilion with public washrooms and potable water is located next to the parking lot on land owned by the City and CreateTO. The Central Waterfront Secondary Plan and Port Lands Official Plan modification designates all lands south of Unwin Avenue as Parks and Open Space Areas - Natural Areas, inclusive of the Baselands, in recognition of the environmental significance of these areas.

Additional background information can be found in Attachment 2.

Tommy Thompson Park Master Plan

TRCA undertook a multi-year process starting in 1985 to develop the Tommy Thompson Park Master Plan and Environmental Assessment which was approved by the Ministry of the Environment in 1995. This plan focuses on maintaining the ecological communities that were established on the Spit while providing recreational opportunities in a car-free environment.

The four main objectives of the Master Plan are:

- Preserve significant species;
- Protect environmentally significant areas;
- Enhance aquatic and terrestrial habitat; and
- Enhance public recreational opportunities.

The Tommy Thompson Park Master Plan will come into full force following the transfer of the Outer Harbour East Headland and Endikement to TRCA.

Interim and Joint Management Plans

As the Master Plan is not yet fully in effect, TRCA has undertaken interim park management with financial support from the City since 1977. This interim management arrangement continues to be the operational model. In 2012 PF&R and TRCA initiated the development the Joint Management Plan. The Tommy Thompson Park Joint Management Plan reinforces the vision for the Park as set out in the Master Plan, identifies priorities, defines the roles and expectations between the City and TRCA, and defines the principles and practices for park management. The Joint Management Plan still requires approval and execution. TRCA leads the natural heritage management, communications and environmental programming of the Park. PF&R provides

maintenance of the buildings, parking lot, and addresses public inquiries that are made through 311 with the assistance of TRCA.

A summary of TRCA and PF&R responsibilities is shown in Attachment 2.

Former City of Toronto Official Plan

The former City of Toronto Official Plan remains in force in the Port Lands and designates the Tommy Thompson Park a combination of Open Space, Natural Areas and Environmentally Sensitive Areas, as shown on Map 1: Generalized Land Uses.

Policy 2.3 Protection of the Environment specifies that it is the policy of City Council to protect and enhance Natural Areas, Environmentally Significant Areas, and Ravines, as well as promote protection and conservation measures through an approach to the planning process which recognizes the complex inter-relationships among the human, and natural communities and the physical environment (an ecosystem approach). Policies 2.30, 2.31, 2.32 and 2.35 specify that Natural Areas and Environmentally Significant Areas are to be protected, preserved, maintained and, where possible, enhanced.

The Official Plan Parks and Open Space policies provide policy direction on the retention, expansion and development of parks and Open Space Areas in the City. Policy 4.5 prohibits the disposal of City-owned Open Space.

Tommy Thompson Park is in Toronto's Waterfront and Section 14: The Waterfront policies are applicable, including integrated and comprehensive parks planning in the Waterfront, exploring opportunities for public access to water's edge lands in Environmentally Significant Areas, and the Outer Harbour Headlands (Policy 14.42), which includes Tommy Thompson Park.

The lands are designated Parks and Open Space Areas within the Central Waterfront Secondary Plan (CWSP).

Former Metropolitan Toronto Official Plan

As the guiding document for the former City of Toronto Official Plan, the former Metropolitan Toronto Official Plan remains in force in the Port Lands. The Plan locates Tommy Thompson Park within the Metropolitan Green Space System on Map 5.

The policy objective for the Metropolitan Green Space System is to protect and rehabilitate the integrity of the natural features and ecological functions, improve physical connections to other green spaces and meet recreational and leisure needs of the increased City of Toronto population.

City of Toronto Official Plan

The City of Toronto Official Plan identifies the Spit as part of the Green Space System, the Natural Heritage System, an Environmentally Significant Area (ESA), and is

designated Natural Area on Maps 2 (Urban Structure), 9 (Natural Heritage System), 12A (Environmentally Significant Areas), and 18/21 (Land Use) respectively.

Official Plan policies regarding the Green Space System indicate that it will be improved, preserved and enhanced by improving public access and enjoyment of those lands while also restoring, creating, and protecting those landscapes which are part of it. Objectives for promoting the public use of lands along the water's edge also speak to the need to balance public access with the maintenance and enhancement of the natural heritage value of those lands by protecting existing habitats and, where appropriate, restoring and enhancing habitat. The Official Plan recognizes a joint role in stewardship of ESAs with public and private landowners, institutions, and organizations such as TRCA.

The policies underlying the management and use of Tommy Thompson Park identify a nature-first approach in which the Park's ecological integrity takes priority over its recreational use. However, the Park's unique natural heritage value and the public's enjoyment of its landscape and wildlife are mutually reinforcing; the Park attracts visitors because it is an urban wilderness that cannot be experienced anywhere else on Toronto's waterfront. Striking the balance between the need to protect and enhance this area as an urban wild while managing the growing public use of this site and enhancing its visitor experience will continue to be a priority for the Joint Management Committee.

More information about the Park's ecological value can be found in Attachment 2.

Central Waterfront Secondary Plan

The Central Waterfront Secondary Plan (CWSP) was adopted by City Council in 2003. The principles of the CWSP provide a framework for waterfront renewal over the long-term and focus on removing barriers/making connections; building a network of spectacular waterfront parks and public spaces; promoting a clean and green environment; and creating dynamic and diverse new communities. Tommy Thompson Park is designated Parks and Open Space Areas within the CWSP.

The CWSP policy B12 identifies Tommy Thompson Park as part of a larger park system within the Port Lands, with upgrades to the Martin Goodman/Waterfront Trail system, the expansion of parkland south of Ashbridges Bay Treatment Plant, and diverse recreational opportunities for new residents and visitors.

The CWSP calls for the transformation of the Port Lands into a number of new urban districts amid the activities of a working port and the parks and open space network, including Tommy Thompson Park.

Former City of Toronto Zoning By-law No. 438-86

The former City of Toronto Zoning By-law 438-86 is the in-force By-law for the Port Lands. Tommy Thompson Park is zoned Gr. The Gr Zone has very few permitted uses, which include a bathing station and conservation lands.

CURRENT ISSUES

Increased Use and Awareness of Tommy Thompson Park

Proactive planning and co-management with TRCA has and will continue to be required to maintain a balance between increased recreational use and the ecological integrity of the Park while enhancing the visitor experience.

Recent initiatives, including the Leslie Street Greening project, trail improvements, and the soon to be opened Entrance Pavilion, which includes public washrooms, a water fountain, bike racks, outdoor gathering spaces, and storage for park programs, are all responses to the increased use and profile of the Park and are amenities that support and encourage visitors to explore and linger. Increased awareness of the Park has also resulted from the Canadian Broadcasting Corporation's "The Nature of Things" 2020 episode "Accidental Wilderness: The Leslie Street Spit", the release of "Accidental Wilderness" a book by Walter Kehm who worked on the original design of the park, social media and the desire for outdoor recreation activities as a result of COVID-19. In 2020, trail counters were installed at the park to provide updated estimates. The total number of visitors recorded between February 28, 2020 and February 26, 2021 was approximately 286,500.

With the implementation of the Port Lands Flood Protection project, coupled with the East Harbour development, public use in the area is anticipated to increase significantly. The Port Lands Planning Framework projects a net-new residential population between 16,500 and 30,000 and anticipates the creation of 75,000 jobs as these areas are redeveloped. With this future influx of people working, living, and recreating in the area, the public use of the Park is expected to increase. As such a management plan with increased funding is required to address this future growth and change in the area and its anticipated pressure on the Park's ecological integrity. The Joint Management Committee will be responsible for bringing forward these and other priority initiatives in order to enhance the user experience of the Park while maintaining the Park's unique role as an urban wilderness.

Park user engagement and consultation has provided valuable insights to TRCA and the City in the past, and a commitment to continued engagement remains. The Joint Management Committee will seek input from a broad range of park users including recreational groups, such as the Aquatic Park Sailing Club and other stakeholders, to inform the visitor experience plan. This will also include engaging with the broader Indigenous communities in order to identify and integrate opportunities for Indigenous place-making and place-keeping within the Park.

Park Enhancements

TRCA received $8 million in federal funding through Waterfront Toronto to implement Phase 1 of the Master Plan between 2006 and 2012. Extensive public consultation (see Attachment 2) guided the process, which can be classified into three major components: natural area enhancements, trails, and infrastructure. Additional provincial and federal grants and private funding have been secured by leveraging capital funds to further

implement habitat restoration and wildlife management projects between 1995 and 2005, and 2013 to present, totaling $5.75 million.

Natural area enhancement projects have resulted in the enhancement of 70 hectares of the Park's terrestrial and aquatic habitats, including conversion of two of the three confined disposal facilities (CDFs or cells) to wetlands. This habitat gain on the central Toronto waterfront is contributing to meeting the delisting targets of the Toronto and Region Area of Concern, specifically for the wildlife populations and wildlife habitat Beneficial Use Impairments. Furthermore, TRCA has been successfully managing invasive plant species such as dog-strangling vine and common reed across more than 12 hectares of the Park.

The Park's Trail Master Plan was developed and partially implemented by TRCA in 2007, featuring 16 kilometers of trails, including a paved multi-use trail that extends from the entrance to the lighthouse at the landform tip, gravel pedestrian trails, and natural surface nature trails. Cycling is permitted on the multi-use trail, whereas the pedestrian and nature trails are designed for foot traffic only.

A Baselands Trails Master Plan was developed through public consultation in 2015 and included formalization of the Martin Goodman Trail along Unwin Avenue at the north end of the Baselands, a Link Trail along Outer Harbour Marina Road (to connect the Martin Goodman Trail and the Park's Multi-use Trail) and Baselands Nature Trails. The Link Trail was constructed in 2016-2017 by PF&R and the Martin Goodman Trail was constructed in 2018-2019 (by Transportation Services). The remainder of the Baselands Trails Master Plan projects are yet to be implemented.

The infrastructure components of the Phase 1 Master Plan implementation included three small buildings that were opened in 2012: a Nature Centre (including a small staff office), an outdoor classroom at the Cell 1 Wetland, and an Ecological Research Centre on Peninsula D to house the Park's Bird Research Station. The final infrastructure component is an Entrance Pavilion consisting of serviced washrooms and a small utility block. The Entrance Pavilion is a PF&R Capital Service Improvement project with a project cost of $3 million, including $400,000 for soil remediation. This work included revitalized pedestrian and cyclist access points into the Park. Construction began in mid-2019 and is scheduled for completion in spring 2021. The pre-existing 5,000 square metre car park and bus turnaround, adjacent to the revitalized entrance, is slated for future renovation. Amenities within the Park are rustic, with stone seating at lookouts, five portable toilets located along the Multi-use Trail, and seasonally operated vault toilets located at the Outdoor Classroom at the Cell 1 Wetland.

To the east of the Spit/Tommy Thompson Park, TRCA, in partnership with Toronto Water, is constructing the Ashbridges Bay Treatment Plant Landform. The purpose of the project is to address sediment accumulation, manage shoreline erosion, and enhance the aquatic habitat. Landform construction has been underway since early 2020 and is expected to continue through to 2024. A portion of the new landform will be owned by TRCA and ultimately integrated into the Park. Landscape design for this area is expected to begin at the end of 2022 or early 2023. It is anticipated to include habitat naturalization features and a public use element along the shoreline.

Capital and operating impacts as a result of these park enhancements, in addition to any future enhancements, will be addressed in future reports.

Public Safety

There are only two land access points to the Park, both located at its north end, creating conditions that increase the likelihood of park by-law infractions including open-air burning, camping and parties, particularly on weekends during the summer months. Furthermore, despite official trails leading away from the informal shorelines, park visitors frequently forge their own trails to explore the shoreline, damaging the natural landscape and putting themselves in danger. Without regular by-law enforcement patrols and a team of dedicated park staff, these activities are becoming more popular, especially with the increased use of the Park. Greater awareness, public education, and/or signage would help address the proliferation of these unsanctioned activities, mitigate their cumulative impact on the Park's ecological integrity, and improve the overall visitor experience by reducing conflict between park users and the native flora and fauna.

Natural coastal processes have an ongoing impact on the east shoreline structure of the Spit, necessitating ongoing monitoring and maintenance of the shoreline. Exposed rebar is a hazard, and, as a result, the shoreline is not safe for public use. The shoreline system will continue evolve and erode over time, especially in the context of more extreme weather events exacerbated by climate change until there is a consistent shoreline system. Despite official trails leading away from the informal shorelines, park visitors frequently forge their own trails to explore the shoreline, damaging the natural landscape and putting themselves in danger. Given the demonstrable desire of visitors to explore the uniquely-formed shoreline for photography or simply to satisfy their natural curiosity, some element of shoreline access may need to be accommodated to support enhancing the visitor experience while maintaining user health and safety.

There are also increasing concerns regarding inappropriate trail use by park visitors on bikes and dog owners. Despite posted signage regarding the city-wide 20 kilometre-per-hour speed limit and the prohibition on dogs in the Park, visitors are disobeying these restrictions and compromising the ecological integrity of the Park. There are also concerns regarding park visitors using bicycles inappropriately along the gravel pedestrian and nature trails, creating safety risks and conflict with other park users. These conflicts degrade the user experience and without further education, enforcement, and/or intervention, the onus of addressing friction between the Park's diverse visitors will fall to them. As such, part of the role of the Joint Management Committee will be to coordinate and address such conflicts.

Solutions to some of these public safety matters are being pursued by TRCA and the City, and will be reported on in future reports.

Operations and Maintenance Costs

The operating and maintenance costs for the City-maintained portion of the Park have been absorbed within the existing Parks, Forestry and Recreation budgets in recent years and have not yet been formalized as a separate budget item. These costs, which have ranged between $0.100 and $0.250 million annually between 2016 and 2020, cover items such as general maintenance, by-law enforcement, building utilities and maintenance, tree removals, parking lot and trail maintenance, garbage removal, life-saving station maintenance, and portable toilets. With the imminent opening of the new Entrance Pavilion, staff have estimated these costs for 2021 at approximately $0.607 million for the City. Future funding will be required to support the increased use of the Park, protect the existing park infrastructure and its natural areas, and enhance its visitor experience commensurate with the Park's significance.

TRCA receives $0.354 million through the City's capital budget process to fund interim management, including project management and administration, implementation of the Park's Cormorant Management Strategy, wildlife management and monitoring, invasive plant management, operation of the Park's Bird Research Station, nature interpretation, and community-based education and outreach programs. An additional $0.020 million is covered through operating budgets to support senior management activities.

TRCA anticipates increased annual operating costs to address growing public recreational use, improve customer service standards, and achieve effective long-term management. TRCA staff have estimated the annual cost to operate and manage the Park at approximately $0.845 million. This estimate includes an increased staff presence in the Park to improve customer service standards, but it does not include shoreline maintenance, shoreline restoration, or project management costs.

Future year operating budget submissions (2022 and beyond) for Tommy Thompson Park will be necessary for programming, operating, and maintaining the park, as addressed in this report, and will be subject to consideration and approval by Council. Future year budget submissions may also include requests for capital funding.

Future Land Transfers

A total of 216 hectares of land on the Spit is currently owned by the Province through the MNRF and leased to PortsToronto for lakefilling activities. The current intention is that these lands are to be transferred to TRCA for integration into Tommy Thompson Park. However, PortsToronto will still require continued long term access to Cell 3 for the deposition of dredged sediment from the Keating Channel and the Lower Don after the completion of the Port Lands Flood Protection project. The property transfer plan will also address any issues related to the incorporation of the new Ashbridges Bay landform and the Baselands into Tommy Thompson Park.

Staff will report on this issue once the details associated with this transaction are better understood. Staff of Real Estate Services and Legal Services will be involved with this report.

East Shoreline Stabilization

TRCA owns approximately 1.4 linear kilometers of the informal east shoreline at Tommy Thompson Park requiring protection. Infrastructure Canada's Disaster Mitigation and Adaptation Fund provides an opportunity to address the issues on this shoreline to enhance its resiliency to coastal conditions and climate change as well as address public safety. Natural processes have an impact on the shoreline structure of the Spit, necessitating ongoing monitoring and maintenance of erosion to ensure the structural integrity of the manufactured shoreline. Exposed rebar is a hazard, and, as a result, the shoreline is inaccessible to the public.

The City and TRCA will work with MNRF and PortsToronto to understand the options and costs associated with installing more formal engineered shoreline for the remaining Spit shorelines ahead of the future land transfer.

Shoreline stabilization costs, operational considerations, and other associated matters will be addressed in a future staff report once more information is available.

Governance and Long-term Management

Although final land transfers from the Province to TRCA remain unresolved, interim management of the Park is sustained by TRCA and City staff. This long-term interim management approach was not anticipated at the time of the Master Plan, which was approved in 1995, and is likely to continue for the foreseeable future until the land transfer(s) can be finalized. The Joint Management Committee will discuss Park management in the interim and formalize the Joint Management Plan to ensure current and outstanding operational issues are addressed.

Multiple landowners, leases, and shared responsibilities between the City, TRCA, MNRF, PortsToronto and CreateTO are complex and unique to the particular context of the Leslie Street Spit. Agreements and discussions surrounding access, maintenance, facilities, future plans, operations, user conflicts, filming, funding, and wildlife management would benefit from a formal management framework. Moving forward, a coordinated approach to managing the Park and the Spit would be best addressed through the establishment of the Joint Management Committee to discuss and recommend management practices, advise on policy issues, and identify any required updates to the Park Master Plan. The Joint Management Committee will also assist in making recommendations related to the long-term governance and management of the Park.

Staff will report on recommendations related to the long-term governance and management of the Park in future reports.

Conclusion

This report provides a summary overview of the current and future work program that will need to be advanced to support both the current Park and its future expansion. Matters that will be addressed in future staff reports include operational and capital

budget impacts, land transfer resolution, shoreline stabilization, and the long-term management and governance of the Park.

CONTACT

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Toronto and Region Conservation Authority

SIGNATURE

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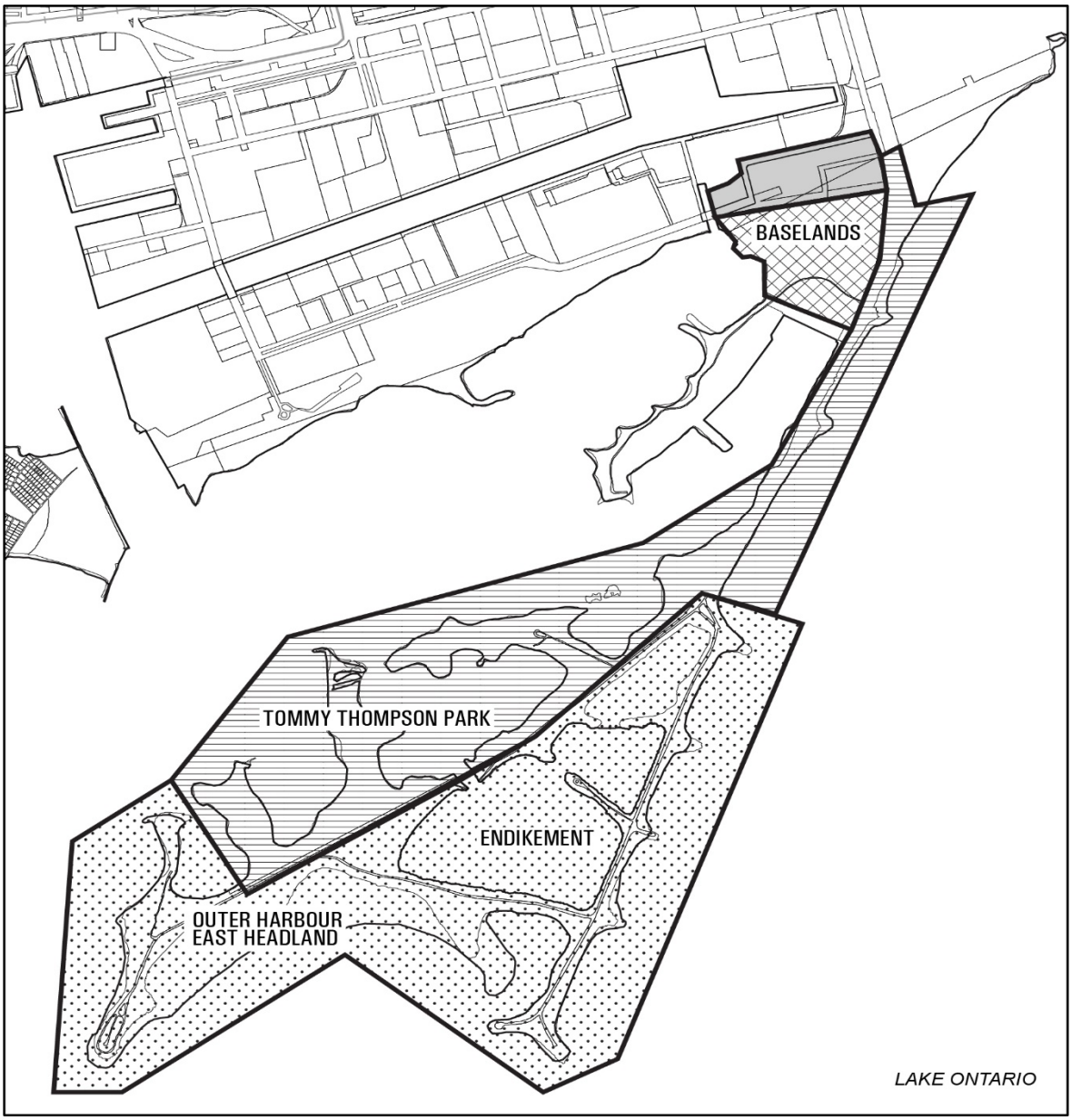
Chief Planner and Executive Director
City Planning Division

Janie Romoff
General Manager
Parks, Forestry & Recreation

ATTACHMENT 1

Leslie Street Spit Ownership Map



TORONTO

1 Leslie Street

Leslie Street Spit Land Ownership

CreateTO
City of Toronto
TRCA
MNRF leased to PortsToronto

Not to Scale
05/06/2021

ATTACHMENT 2 - BACKGROUND INFORMATION

Landform Creation

In 1959, the Toronto Port Authority, operating as PortsToronto (previously Toronto Harbour Commission) began construction of the landform by lakefilling in order to create the Outer Harbour and expand port-related facilities in anticipation of an increase in shipping coinciding with the opening of the St. Lawrence Seaway. By the early 1970s, although it became apparent that there was no need for additional port-related facilities, PortsToronto continued construction of the landform, including the creation of four peninsulas constructed via hydraulic dredging, and the creation of three confined disposal facilities to hold sediment dredged from the Keating Channel. This work was ongoing until 2015, with no additional lakefilling having occurred since that time, apart from the dredged sediment that continues to be deposited in Containment Cell 3 from annual Keating Channel and Don River. These operations are expected to continue past the construction of the Port Lands Flood Protection project.

The existing east shoreline consists of an anchor-type beach system consisting of artificial beaches retained by hardpoints constructed primarily from varying sizes of reinforced concrete and brick rubble. Through natural coastal conditions and erosive forces, this rubble material is broken down over time resulting in exposure of rebar in reinforced concrete. More formal engineered shorelines along more recent waterfront parks (Humber Bay Park, Colonel Sam Smith Park, etc.) have been designed to be stable within a dynamic coastal environment and are constructed utilizing quarried stone material that is more resistant to weathering and displacement.

The composition of the west shoreline of the Spit is sand, and as such it does not have the risks associated with reinforced concrete rubble shorelines like on the east side of the landform. The west shoreline is also protected within the Outer Harbour, so there is less impact from dynamic coastal processes than on the east side open to Lake Ontario.

Ecological Value

As a result of the process of natural succession on reclaimed land and the critical habitat enhancement work undertaken over the last 30 years, the Spit has grown into a landscape complex of different habitats that include wetlands, woodlands, grasslands, hard and soft shorelines, and various aquatic habitats. Over 150 flora species have been recorded at the site.

The substantial size of the Spit and its habitat diversity, along with its location on Lake Ontario, make it a biodiversity hotspot. A total of 323 bird species have been recorded at the Spit, with 73 of these species having been recorded using the site as breeding grounds. In 2000, the Leslie Street Spit was designated as a globally significant Important Bird Area by BirdLife International due to the large waterbird colonies (notably the continent's largest breeding colony of Double-crested Cormorants), overwintering waterfowl, and landbird migrants. At least 21 species of native mammals have been recorded at the site ranging from small mammals like meadow vole and eastern

cottontail to coyote and river otter. The site is also known for its herpetile populations, with at least 12 species recorded, including breeding Northern leopard frog and common snapping turtle, which nest at the site. The Spit's many aquatic features provide habitat for a wide range of fish including emerald shiner and Northern pike. Many invertebrate species have also been recorded, including migratory butterflies and dragonflies.

The ecological value of the Park will continue to increase as the habitat communities mature, and as the lands are enhanced through new and continuing restoration and enhancement projects.

Public Advocacy and Engagement

Public advocacy has been a major factor in determining the use of the Park as an urban wilderness park. Friends of the Spit was founded in 1977 by naturalists advocating for the Spit to grow naturally, without development and privatization of uses, and it was their determination and persistence that ultimately resulted in the natural area option as the basis for the approved Tommy Thompson Park Master Plan. The group continues to be important advocates for the Leslie Street Spit.

Extensive stakeholder engagement guided the development and phase 1 implementation of the Tommy Thompson Park Master Plan, as well as restoration projects at the Park. Original engagement took place with the Natural Area Advisory Committee, which was formed to guide the Master Plan development from 1987 to 1992. Following Master Plan approval, the Natural Area Advisory Committee met infrequently through the 1990s and primarily in an ad hoc manner to administer the Interim Management Program and address issues related to the Park. The group was formalized as the Tommy Thompson Park Advisory Committee in 2002 to assist with the development and implementation of various Mater Plan phase 1 components which were completed in 2011. The group then transitioned to the Tommy Thompson Park User Group in 2011 and met twice annually to guide Joint Management, provide feedback on capital projects and address issues related to the Park. The Tommy Thompson Park User Group term ended in 2020. These committees were comprised of representatives from local interest groups including Toronto Field Naturalists, Friends of the Spit, Toronto Ornithological Club, Toronto Entomological Association, as well as park users such as the Aquatic Park Sailing Club, runners, and cyclists.

TRCA will be working with the City of Toronto to identify new and innovative options for future phases of public engagement for the Park. The goal is to maximize public participation, with both organized interest groups and individual park users, to ensure a broad range of input and increase and foster sustainable stewardship of the Park's ecological features. TRCA has committed to reporting to the Board of Directors at the end of 2021.

JOINT MANAGEMENT PLAN - SUMMARY OF RESPONSIBILITIES			
ACTIVITY	**DESCRIPTION**	**MANAGEMENT**	
		City of Toronto - PF&R	**TRCA**
ADMINISTRATION	License agreements, by-law enforcement	By-law enforcement	PortsToronto activity coordination; Aquatic Park Sailing Club licence agreement; access for tours, research, volunteers; commercial film/photography agreements; third party charity events
COMMUNICATIONS	Site interpretation, communications	General inquiries (311)	Nature and site interpretation, outreach programs, special events, education, social media, website, media inquires
RISK MANAGEMENT	Shoreline maintenance, hazards, public safety	Park hazards, hazard tree removal, life-saving stations, potholes, trail inspections	Shoreline management, lakefill quality control
NATURAL AREA MANAGEMENT	Terrestrial and aquatic management and enhancements	n/a	Terrestrial and aquatic habitat management and enhancements, invasive species management
WILDLIFE MANAGEMENT	Wildlife and nuisance wildlife	Nuisance wildlife including domestic animals	Wildlife management including colonial birds, species of interest, fisheries
UTILITIES	Heating, water, etc.	Heating, water and other utilities for buildings	Ecological Research Station solar panel, wi-fi

JOINT MANAGEMENT PLAN - SUMMARY OF RESPONSIBILITIES			
GENERAL MAINTENANCE	Parks facilities, Emergency Services Plan, signage	Buildings, trails and parking lot, garbage, Emergency Services Plan, fencing, graffiti, protests, illegal camping/ encampments, signage maintenance	Regulatory and interpretive signage design, gate access
FLEET EQUIPMENT AND STORES	Service yard, site transportation	Storage bunker and Booth Avenue service yard	On-site building and storage bunkers; coordination of potential future shuttle van service

Item 7.11

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **DELEGATED AUTHORITY TO UPDATE THE FINANCE AGREEMENT FOR THE NEW ADMINISTRATIVE OFFICE BUILDING PROJECT**

KEY ISSUE
Staff request to TRCA's Board of Directors to delegate approval authority to the Chief Executive Officer to update the financing interest terms and conditions for the New Administrative Office Building Project.

RECOMMENDATION

WHEREAS no meetings of the Executive Committee and Board of Directors are scheduled for the months of July and August 2021;

AND WHEREAS TRCA issued a Notice of Borrowing to Canadian Imperial Bank of Commerce (CIBC) according to the loan schedule based on the original project cash flow;

AND WHEREAS project delays, primarily related to COVID-19 factors, have altered the construction schedule and cash flows;

THEREFORE, LET IT BE RESOLVED THAT the Chief Executive Officer or their designate be delegated authority to amend the construction financing and amend the interest rate hedge with CIBC in order to secure the most cost-effective financing option for TRCA;

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;

AND FURTHER THAT staff report back on the agreements to the Board of Directors at the September 2021 meeting.

BACKGROUND
Board of Directors Resolution #A145/19 authorized staff to issue Notices of Borrowing to the project financial services provider, CIBC, according to a loan schedule based on the project cash flow. TRCA and the project financial services provider, CIBC, worked together to develop a quarterly amortization schedule for a $54,000,000 term loan that best reflects the payment schedule from TRCA's partner municipalities, commencing on January 4, 2022 and ending on January 2, 2047, representing a period of 25 years.

The financing agreement was signed with a Canadian commercial bank on February 26, 2019. As part of the transaction, the Authority entered into an interest rate swap to forwards fix the interest payable by TRCA at 3.658% on $50,000,000 of the available $54,000,000 credit. TRCA's municipal partners, including the City of Toronto and the Regions of Durham, Peel and

York, have committed up to $60,000,000 of funding for the project over 30 years, as approved by their individual Councils.

RATIONALE
Given the substantial delay in project completion, primarily related to COVID-19 factors, the construction loan conversion will now take place after January 4, 2022. This will require TRCA to enter an additional interest rate swap to renegotiate the conversion date/interest rate for the financing.

It is in TRCA's best interest to enter a new swap as soon as practicable to mitigate the impacts of rising interest rates as the economy recovers from the impacts of COVID-19. Nevertheless, the renegotiation must be based on a satisfactory completion of an updated construction schedule provided by the construction manager.

The timing of the construction schedule largely relies on the completion of the largest critical path item, the completion of wood construction, which is anticipated to be completed in September, in advance of the next Board of Directors' meeting. Although the building will not be weathertight until Q4 2020, the completion of wood construction allows for multiple concurrent trades to operate, which provides more clarity to the schedule.

Relationship to Building the Living City, TRCA 2013-2022 Strategic Plan
This report supports the following strategy set forth in TRCA 2013-2022 Strategic Plan:
Strategy 7 – Build partnerships and new business models

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Date: June 16, 2021

Item 8.1

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: John MacKenzie, Chief Executive Officer

RE: **UPDATE ON MEMORANDUMS OF UNDERSTANDING AND SERVICE LEVEL AGREEMENTS WITH MUNICIPALITIES**

KEY ISSUE
To provide an update to Toronto and Region Conservation Authority's (TRCA) Board of Directors on work underway to advance Memorandums of Understanding (MOUs) and Service Level Agreements (SLAs) with partner municipalities in the context of the updated *Conservation Authorities Act* (CA Act) and consultation regarding upcoming Ministry of Environment, Conservation and Parks and Ministry of Natural Resources and Forestry regulations.

RECOMMENDATION

IT IS RECOMMENDED THAT this progress report be received;

THAT TRCA staff report back to the Board of Directors on the progress of Memorandums of Understanding and Service Level Agreements once *Conservation Authorities Act* regulations are released;

AND FURTHER THAT the Clerk and Manager, Policy, circulate this report to TRCA's municipal partners, and the Province, including the Ministry of Environment, Conservation and Parks, Ministry of Natural Resources and Forestry, and Ministry of Municipal Affairs and Housing.

BACKGROUND
Since 2015, the *Conservation Authorities Act* (CA Act) has been amended multiple times to introduce measures that provide further clarity and transparency surrounding the various types of services that conservation authorities provide to, and on behalf of, municipalities. These amendments were undertaken through the *Building Better Communities and Conserving Watersheds Act, 2017* (Bill 139) in 2017, the *More Homes, More Choice Act* (Bill 108) in 2019, and the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* (Bill 229) in 2020. As a result of these amendments to the CA Act, conservation authorities will need to execute Memorandums of Understanding (MOUs) and Service Level Agreements (SLAs) with partner municipalities in order to deliver services deemed to be non-mandatory.

As directed by the Board of Directors at Board of Directors Meeting #11/19 held on January 24, 2020 (Resolution #A237/19), Board of Directors meeting #3/20, held on April 24, 2020 (Resolution #A31/20), and Board of Directors Meeting #6/20 held on September 25, 2020, TRCA staff have undertaken discussions with municipal partners to develop and execute MOUs and SLAs. A full description of related Board resolutions, and the most recent update on MOU discussions, at can be found in Item 12.7 (Update on Municipal Memorandums of Understanding and Service Level Agreements) from Board of Directors meeting #1/21 (February 26, 2021).

Staff also provided updates on amendments to the *Conservation Authorities Act* and *Planning*

Act through Schedule 6 of Bill 229 from December 8, 2020 and the Province's announcement of the formation of a Conservation Authorities Working Group from December 16, 2020. TRCA has representation on the Working Group, with additional representation from other conservation authorities (CAs), Conservation Ontario, the Association of Municipalities of Ontario, and municipal, development and agriculture sectors.

On May 13, 2021, the Ministry of Environment, Conservation and Parks (MECP) posted on the Environmental Registry of Ontario a "REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities" for a 45-day public commenting period ending June 27, 2021. The purpose of the Consultation Guide is to provide a description of the proposed regulations and solicit feedback that will be considered by the Ministry when developing the proposed regulations. The Guide does not include draft regulations. This first phase of the Ministry's process is focused on the proposed regulations related to:

- the mandatory programs and services to be delivered by conservation authorities;
- the proposed agreements with participating municipalities to fund non-mandatory programs and services through a municipal levy;
- the transition period to establish those agreements;
- the requirement to establish 'community' advisory boards; and
- the Minister's section 29 regulation relating to conservation authority operation and management of lands owned by the authority.

The Consultation Guide lays out a proposed requirement for conservation authorities to establish a Transition Plan that includes the following requirements:

- An inventory of programs and services to be completed, including identifying which of the authority's non-mandatory programs and services will require agreements with participating municipalities to continue financing (in whole or in part) through the municipal levy.
- Consultation with participating municipalities on the inventory undertaken to ensure they agree with the authority's classification of its programs and services.
- List of steps set out by the authority to be taken to enter into any agreements with participating municipalities for funding of authority determined programs and services.
- That these transition materials be provided to the Minister.

In response to the ERO posting, TRCA posted a news release on our website on May 18, 2021 and also brought forward a report (Item 8.4, Regulatory Proposals (Phase 1) Under the Conservation Authorities Act, Environmental Registry of Ontario Posting (ERO #019-2986) at the Board of Directors meeting held on May 28, 2021 on the Consultation Guide and potential implications, as well as solicited input from Board members on TRCA's proposed ERO submission.

RATIONALE

Staff have been undertaking discussions with partner municipalities since June 2019, with discussions increasing in frequency and productivity over the last year. The productivity of MOU/SLA discussions has been supported by the resources developed by staff and described in the Board reports noted above. TRCA staff are also undertaking regular reviews and updates of the resources that have been developed. This includes updating the template MOU and SLA

that were developed as municipal preferences and other considerations emerge, as well as undertaking a regular review of the detailed list of TRCA services every few months to ensure that it continues to reflect the breadth of TRCA services and expertise. In addition, new resources are being developed. Letter Agreement templates lay out the expected structure and content of a Letter Agreement, which would be appended to the SLA for each service, program or project that TRCA undertakes on behalf on a municipality. Several different versions of the Letter Agreement templates are being developed to reflect the different types of work that TRCA could undertake along with associated details that would need to be included in any agreements. TRCA staff have also developed presentation templates for meetings with municipalities and other internal and external stakeholders in order to share the rationale for developing MOU/SLAs, the MOU/SLA agreement structure, TRCA service areas, and other considerations.

TRCA continues to participate in the Province's Conservation Authority Working Group. Based on TRCA's direct experience with developing MOUs with partner municipalities, staff have provided input related to the principles on which MOUs and SLAs could be based and the mandatory programs and services that conservation authorities would be required to provide. TRCA is encouraged that the direction laid out in the Consultation Guide, including for both the MOU Transition Plan and the development and execution of MOUs and SLAs themselves, aligns with the approach that TRCA has been taking in both discussions with partner municipalities and in the development of MOU-related resources. In many cases, TRCA is already meeting or exceeding many of the potential requirements of CAs, including having multi-stakeholder advisory committees to TRCA's Board (such as the Regional Watershed Alliance), already delivering mandatory CA services, and undertaking MOUs, SLAs and/or other agreements for the delivery of other individual services, programs and/or projects for municipalities.

Since the last update to the Board of Directors on the MOU-SLA process (Meeting #1/21, February 26, 2021), discussions with many partner municipalities have continued to progress (***Attachment 1***). This progress includes the following:

- Beyond initial discussions and/or meetings have been undertaken with all municipalities within TRCA's jurisdiction, TRCA resources have been distributed to all municipalities, including template MOUs and SLAs and the detailed list of TRCA services, at a minimum.
- Discussions on MOUs and SLAs have progressed to a more detailed stage with many municipalities. These detailed discussions include municipal staff reviewing TRCA's list of services, considering which services they currently utilize or might utilize, and reviewing any additional considerations, both internally and with TRCA staff. These detailed discussions may also include municipalities reviewing the template MOU and SLA with their legal counsel and/or conferring with their procurement/purchasing staff to understand any limitations and whether amendments may be required to current municipal procurement mechanisms.
- The execution of MOUs and/or MOUs moving to an advanced stage of development or approval. This includes where an MOU and the associated list of services has been drafted and is under review.
- Where relevant, staff have undertaken some joint meetings with municipal staff and neighbouring conservation authorities in order to better coordinate the development of MOUs and SLAs to ensure consistent services across a municipal jurisdiction.

While most municipalities do want to, and continue to, work with TRCA to identify services of interest and to develop and review an MOU and SLA(s) with TRCA, many municipalities also continue to prefer to wait until the regulations are released to finalize and execute MOUs. TRCA staff continue to work with partner municipalities to move the MOUs and SLAs forward to an advanced stage so that they can easily be brought forward for endorsement. TRCA staff are also reviewing the Provincial requirements for an MOU Transition Plan and will build upon the MOU resources and work already undertaken in order to meet the December 31, 2021 deadline proposed by the Province in the current ERO posting.

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
There is no immediate financial impact due to carrying out the recommendations above. The process of undertaking agreements with municipalities related to non-mandatory municipal programs and services provided by TRCA under the amended *Conservation Authorities Act*, as well as with other external organizations, is expected to have positive financial impacts for TRCA based on the interest from most municipalities in providing funding and or jointly seeking funding for a selection of TRCA service areas that support areas of need for the municipalities in question and shared municipal and TRCA interests.

DETAILS OF WORK TO BE DONE

- Continue to communicate implications of the Consultation Guide to TRCA Board of Directors, municipal partners and relevant stakeholders, as well as information related to the enabling regulations, once released;
- Continue to meet with municipal partners in order to continue development and execution of MOUs based on municipal preferences and needs;
- Continue working with municipalities, where required, to address any potential procurement policy approvals or required by-law amendments to support updated MOUs and SLAs;
- Continue working with neighbouring Conservation Authorities in order to coordinate MOU development;
- Develop the Provincially required MOU Transition Plan, and bring the Plan to the TRCA Board of Directors in Q4 2021 for approval; and
- Update existing, and finalize new MOUs and SLAs, as appropriate.

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Attachment 1: Municipal MOU/SLA Status Progress Table

Attachment 1: Municipal MOU/SLA Status Progress Table

Municipality	Initial Meeting or Discussions Held	Draft MOU and SLA Shared	Draft Corporate Report Shared	Detailed Discussions Undertaken	Advanced MOU Development or Execution
Adjala-Tosorontio	X	X			
Mono	X	X			
City of Toronto					
Parks Forestry and Recreation, and Transportation	X	X	X	X	X
Toronto Water	X	X	X	X	
Waste Management	X				
Create TO	X	X		X	
Toronto Botanical Gardens	X	X	X	X	X
Durham Region					
Region of Durham	X	X	X	X	
Ajax	X	X	X	X	
Pickering	X	X	X	X	
Uxbridge	X	X	X	X	
Peel Region					
Region of Peel	X	X			
Brampton	X	X	X	X	X
Caledon	X	X	X		
Mississauga	X	X	X	X	
York Region					
Region of York	X	X			
King	X	X	X	X	X
Markham	X	X	X	X	X
Richmond Hill	X	X	X		
Vaughan	X	X	X	X	
Whitchurch-Stouffville	X	X	X	X	

Item 8.2

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **MICROSOFT TEAMS VIDEO CONFERENCING SOLUTION**
Statement of Interest: Strategic Business Planning Policy

KEY ISSUE
To provide information to the Board of Directors regarding planned Microsoft Teams Video Conferencing Solution initiative of the Information Technology and Records Management Business Unit.

RECOMMENDATION

IT IS RECOMMENDED THAT this report regarding the Microsoft Teams Video Conferencing Solution initiative be received.

BACKGROUND
In accordance with Toronto and Region Conservation Authority's (TRCA) Strategic Business Planning (SBP) Policy, all potential new projects/programs or proposed modifications to existing initiatives must proceed through the SBP Policy workflow, including reporting to the Board of Directors for informational purposes.

RATIONALE
TRCA has selected the use of the Microsoft Teams platform as the unified communication service provider for the new telephony solution which is replacing the Mitel VoIP system. TRCA staff will now be working to integrate the Microsoft Teams Video Conferencing infrastructure into meeting rooms across TRCA offices, providing an improved user experience that integrates video capabilities for staff and visitors. This infrastructure solution will result in users no longer needing to use laptops to make Teams calls. This frees up the users' laptops for collaboration or conducting other work while concurrently on a Teams call or meeting call. The meeting rooms will now have cameras and mics integrated into the individual rooms for better video and audio quality versus relying on laptop mics and cameras.

The devices will be installed at each meeting room in the new head office and provide access to meeting schedules and availability for each room eliminating the need for users to check room availability through their laptop or mobile device. The Microsoft Team Video Conference hardware equipment also comes with a 3-year support warranty.

The Microsoft Teams Video Conference Solution will be implemented in 27 meeting rooms at 6 office locations which are outlined in the Financial Details section.

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 11 – Invest in our staff
Strategy 10 – Accelerate innovation

FINANCIAL DETAILS
A preliminary estimate of the one-time infrastructure cost across all locations is $325,994. A breakdown by office is as follows:

Location	Number of Meeting Rooms	Cost
New Head Office	16	$203,074*
Boyd	3	$27,774
Black Creek Pioneer Village	3	$27,774
Earth Rangers	2	$11,812
Restoration Services Centre	2	$9,226
Swan Lake	1	$5,906
Installation	At 11 meeting rooms above (excludes New Head Office)	$5,500
	Total	**$291,066**
Contingency**		$34,928
	Grand Total	**$325,994**

*Includes all installation costs for the New Head Office and the associated devices.
**12% contingency in the event issues arise such as the need to increase bandwidth at satellite office locations.

The total onetime 2021 infrastructure cost across all locations will be $325,994, with an additional $4,000 representing ongoing annual maintenance costs. With these accounted for, the total 2021 cost, including installation and annual fees, totals $329,998.

DETAILS OF WORK TO BE DONE
Following the receipt of this report, the Microsoft Teams Video Conferencing Solution initiative will progress through the SBP Policy workflow and be added to the unfunded priorities list. Based on their position within the prioritized list, TRCA's Senior Leadership Team will be recommending that this initiative be funded in 2021. Staff will continue to refine the scope of work and procure the required services to progress the initiative.

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Date: June 15, 2021

Item 8.3

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Sameer Dhalla, Director, Development and Engineering Services

RE: **FLOOD EMERGENCY MANAGEMENT ANNUAL UPDATE**
Overview of TRCA activities in flood forecasting and warning, flood response planning, municipal emergency management and associated outreach activities.

KEY ISSUE
Summary of current non-structural flood risk management initiatives, highlights of flood events experienced in the past year, and an overview of flood response planning activities occurring in collaboration with municipal partner staff.

RECOMMENDATION

WHEREAS TRCA staff provided an overview of the Flood Risk Management program at the Board of Directors meeting #6/19 held on June 21, 2019, and were directed to provide an annual summary of flood risk management work that has been completed;

AND WHEREAS the last Flood Risk Management annual summary was provided to TRCA Board of Directors on September 25, 2020.

IT IS RECOMMENDED THAT this report be received as the 2021 Flood Emergency Management update.

BACKGROUND
Almost 5 million people live within the 9 watersheds and Lake Ontario waterfront that make up Toronto and Region Conservation Authority's (TRCA) jurisdiction. 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 time before flooding occurs.

Flooding in TRCA's 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 a particular challenge 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. Ice jam flooding is also very difficult to predict as jams can occur anywhere along a watercourse and there is little to do to protect against them.

While land-use planning has effectively reduced risk in greenfield areas, many neighborhoods were historically settled near rivers prior to flood plain management. Examples include old downtowns in Brampton, Bolton, Unionville, and Stouffville. In other places, water may spill from altered watercourses and floodplains extend into populated areas. Across TRCA's jurisdiction, there are dozens of such Flood Vulnerable Clusters (FVC's), or areas where there is a high concentration of buildings in the floodplain.

TRCA undertakes a wide variety of programs to fulfil our Strategic Plan objectives to reduce flood risks and protect communities. These programs span the full spectrum of the emergency management cycle: from land-use planning to prevent exposure to hazards, to capital flood mitigation projects, to the many non-structural initiatives in the preparedness, response, and recovery phases that work to reduce the threat to public safety in areas of existing flood risk. Initiatives that fall specifically within the Flood Emergency Management portfolio include flood emergency planning with municipal partners, personal preparedness education and outreach, and the Flood Forecasting and Warning (FFW) program. TRCA's flood risk management activities are at an advanced level and continue to incorporate state of the art technologies in real-time gauging, hydrology and hydraulic modeling and multi-mode communications. Many of the recommendations of the 2020 Ontario Flooding Strategy refer to flood risk reduction activities that have long been in-place at TRCA. During flood events, the information provided by TRCA plays a critical role assisting municipal partners in making decisions for emergency response.

RATIONALE

As outlined in the Ontario Flooding Strategy, the roles and responsibilities for ensuring public safety during flood events are shared between various levels of government, conservation authorities, and individuals. Municipalities have the primary role in undertaking emergency response actions, including road closures and evacuations, and are legislated, through the Provincial Emergency Management and Civil Protection Act, to develop emergency plans and conduct training exercises to support preparedness.

In areas where a Conservation Authority exists, they hold the delegated responsibility from the Ministry of Natural Resources and Forestry (MNRF) to operate a Flood Forecasting and Warning program in accordance with the *Provincial Flood Forecasting and Warning Guidelines*. The FFW 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 in order 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.

To fulfill these objectives, TRCA works closely with partner municipalities, including staff from the respective emergency management offices, emergency services personnel who act as the Community Emergency Management Coordinators (CEMC's) and with meteorological agencies such as the Ontario Storm Prediction Centre (OSPC) operated by Environment Canada and Climate Change (ECCC). To support effective flood response during an event, and to support municipal partners in fulfilling their emergency management responsibilities, TRCA staff also participate in the development of flood emergency response plans, training, and emergency management exercises.

One of the core mandates of TRCA is to provide services to partner municipalities to reduce flood risk and protect people and property from riverine flooding. This mandate has been tested many times with both forecasted and un-forecasted storm events as well as with hard to predict

floods caused by ice jams. Recent storm examples include a jurisdictional winter rain on snow event in early January 2020, a localized intense thunderstorm on July 8, 2020 and a flood caused by an ice jam in the community of Bolton in March of 2019. Additionally, there have been two high lake level events since 2017 impacting all the shorelines of Lake Ontario.

In past Flood Risk Management annual updates, a summary of notable flood events over the past year was provided. However, since the last update to TRCA Board members, there have been no significant flooding events for TRCA from September 2020 to May 2021. This highlights the irregularities and variabilities of local weather patterns both on a seasonal and annual level. Instead, this report will focus on the work that continues to improve TRCA's Flood Risk Management and Flood Forecasting and Warning program. The following sections will summarize specifically how TRCA is working to improve upon its Flood Forecasting and Warning program, expanding and enhancing its flood operations, enriching flood outreach and communication, as well as assisting municipalities with emergency planning.

Flood Forecasting and Warning Program

The FFW program is staffed by a complement of Flood Duty Officers (FDOs), Chief Flood Duty Officers (CFDOs), Dam Operators, and technical staff who are on-call 24 hours a day, 7 days a week. During flood events, core staff from Engineering Services, specifically, the Flood Infrastructure & Hydrometrics, Flood Risk Management and Water Resources teams, play critical roles in providing technical expertise and advice to municipal partners, thus assisting them in making decisions and taking actions for emergency response. TRCA is continually looking for opportunities to improve current processes related to the Flood Forecasting and Warning program.

Communications through flood messages to municipal partners, stakeholders and the public remain a priority area for the program. In 2021, several improvements to the Flood Message notification system and process have been implemented, with more improvements to be completed by the end of 2021. These include the addition of standardized shoreline flood message categories for Lake Ontario, as per Ministry of Natural Resources and Forestry (MNRF) guidelines, and improvements to facilitate a faster dissemination of flood warning messages and shortened response action by affected municipalities.

As communicated to the Board through the 2020 program update, in 2018 TRCA evaluated and identified a well-established flood forecasting and warning decision support system, the Deltares Flood Early Warning System (FEWS). The system meets the unique requirements of TRCA's jurisdiction (both rural and urban environments) and can integrate numerous weather forecasts, radar products, stream and precipitation monitoring systems, and various hydrology and hydraulic modelling platforms. TRCA Flood Risk Management team is currently taking a phased approach to develop and implement FEWS as the daily flood assessment tool for Flood Duty Officers. Staff are working to advance the complex configuration of the system developed as a pilot model. This will include data consolidation of weather forecast models as well as TRCA and other partner monitoring data, and a report output for the daily flood assessment for TRCA's jurisdiction.

In 2018, Federal and Provincial emergency management officials introduced Alert Ready messages for mobile devices, and TRCA established an agreement with the Provincial Emergency Operations Centre (PEOC) to push Alert Ready messages to residents during activation of the G. Ross Lord Dam Emergency Preparedness Plan. TRCA has recently become an authorized agency who can request the issuance of these alerts (for the above specified

scenario) directly with the Provincial Office of the Fire Marshall and Emergency Management (OFMEM), thus saving valuable time for emergency communications.

Hydrometrics Program, Gauging Network and Flood Monitoring Website
TRCA's Hydrometrics Program is responsible for obtaining water quantity data to support flood forecasting and warning, floodplain mapping, dam operations, watershed studies, climate studies and infrastructure design.

TRCA's real-time gauging network, together with the updated real-time gauging website, are essential tools for TRCA's Flood Forecasting and Warning program, in which the Hydrometric Program plays a critical role. Hydrometrics refers to the measurement of different components of the hydrologic cycle that includes how water moves through the atmosphere and watershed. Flood forecasting and warning systems at TRCA mainly use precipitation data (rain and snow), and water level and flow data (reservoirs and streams) for evaluating real time flood risk. TRCA operates, maintains, and monitors several different types of hydrometric networks, as outlined below.

1. **Real-time stream and reservoir gauges**: Real-time stream and reservoir gauges measure water elevation and flow and send the data to TRCA's flood monitoring website (trcagauging.ca) every 15 minutes. These gauges can be alarmed and will send alerts to TRCA staff when specified thresholds are exceeded.
2. **Real-time precipitation gauges:** Real-time precipitation gauges measure rain every 5 minutes and send the data to TRCA's flood monitoring website (trcagauging.ca). These gauges can be alarmed and will send alerts to TRCA staff when thresholds are exceeded.
3. **Remote (stand-alone) stream gauges:** Remote stream gauges do not provide real-time data. Data is recorded on-site and must be manually downloaded by TRCA's Flood Infrastructure and Hydrometrics staff. Data is downloaded monthly. Data from remote stations is used for floodplain mapping, hydraulic/hydrologic modelling, watershed plans, climate studies, infrastructure design, and post-flood event analysis. There are currently 28 remote stream gauges in the network.
4. **Remote precipitation gauges:** Remote precipitation gauges do not provide real-time data. Data is recorded on-site and must be manually downloaded by TRCA's Flood Infrastructure and Hydrometrics staff. Data is downloaded monthly. Data from remote stations is used for floodplain mapping, hydraulic/hydrologic modelling, watershed plans, climate studies, infrastructure design, and post-flood event analysis. There are currently 11 remote precipitation gauges in the network.
5. **Climate stations:** Climate stations include gauges that collect wind, temperature, humidity, soil moisture and other environmental data. Climate stations also include snow courses where Flood Infrastructure and Hydrometrics staff measure snow pack at various locations in TRCA's jurisdiction. Climate data assists TRCA staff in predicting rain and snow run-off that can help predict flood potential.

Type of Gauge / Location	**York Region**	**Peel Region**	**City of Toronto**	**Durham Region**	**Total per Type**
Real-time Stream gauges	4	7	9	1	**21**
Real-time Precipitation Gauges	10	6	8	4	**28**
Remote Stream Gauges	3	6	7	12	**28**

Remote Precipitation Gauges	2	3	2	4	**11**
Climate Stations	4	1	0	2	**7**
Total per Region	**23**	**23**	**26**	**23**	**95**

The real-time gauging network is set-up to report directly to the Flood Monitoring website and database and is used to inform Flood Duty staff of real-time watershed and weather conditions. The real-time network is currently comprised of 21 stream gauges, including five at dam reservoirs, as well as 28 rain gauges (11 of which do not operate in the winter). In 2020, five new field monitoring stations were installed, of which three feed directly into the Flood Monitoring website. Additionally, one rain gauge in the City of Toronto, within the Highland Creek watershed, was upgraded in September 2020 to operate and collect data during winter months. Furthermore, a live camera feed view has been recently added at one stream gauge location in the Lower Humber River at Old Mill Rd bridge, in the City of Toronto. Camera views were previously available at two other stream gauge locations (Don River at Todmorden and Black Creek at Alliance) and at three TRCA dam locations (Claireville Dam, G. Ross Lord Dam and Milne Dam). Four additional real-time stream gauges have been proposed to be installed in 2021/2022, pending budget approvals. They are proposed to be located in the watersheds of Duffins Creek in Ajax, Highland Creek in Toronto, Don River in Markham and in the East Humber River in Richmond Hill.

TRCA will continue to identify feasible expansions to the real-time network to increase network density and improve warning times for flood messages. However, with the increased network density, comes increased cost of operations and maintenance requirements, which underscores the need for addressing funding gaps. Accordingly, the Hydrometrics Program is included in TRCA's 2021 Unfunded Priorities list.

As noted previously, TRCA uses a Flood Monitoring website (trcagauging.ca) to evaluate watershed conditions by accessing real-time stream flow, water level and precipitation information of watersheds in TRCA's jurisdiction. This information is used to assess the potential for flooding. In 2018, TRCA initiated a project to update, modernize and enhance the real-time flood monitoring and warning website both functionally and aesthetically. TRCA has recently moved to a newer and updated data acquisition system that obtains the monitoring data to populate the website display and this update required significant redesign of the back-end system of the flood monitoring website. The second phase of this update which will be completed by the end of 2021 will bring significant improvements to the source data quality, increase the reporting frequency, and create opportunities to intake third party data (like municipal partner data) into the current website.

TRCA is continuing to collaborate with the Region of Peel to support its Gauge-Adjusted-Radar-Rainfall (GARR) project, providing rain gauge data used in real-time calibration, and post-event validation, of radar-rainfall products. As it would be impossible to achieve rain gauge coverage everywhere, GARR products represent an important advancement in flood forecasting and warning and are utilized, where available, to assist Flood Forecast and Warning staff with storm event characterization. A rainfall alerting feature from the GARR system will also begin to be utilized in 2021 by TRCA Flood Forecast and Warning staff which will enhance their ability to characterize intense rainfall events. TRCA is also working with municipal partners, such as the City of Toronto and York Region, to import their rain gauge network information, with the aim of providing Flood Forecast and Warning staff with a consolidated real-time precipitation network.

Emergency Planning and Outreach
As outlined in previous annual updates, staff continue to work in partnership with municipalities to develop flood mitigation strategies for priority areas, including enhanced warning and emergency management tools, collaborative emergency planning and training opportunities, as well as communications strategies.

Site-specific Flood Response Planning (SSFRP)
TRCA has continued to work with municipal partners in developing Site Specific Flood Risk Packages (SSFRP's) for some of the highest ranked flood vulnerable clusters within TRCA's jurisdiction. These documents are informational packages, intended to be co-developed by TRCA and municipal/regional partners, to identify specific assets that may be at risk to flooding. Since municipalities have the primary responsibility for ensuring the welfare of residents, including the mandate for response actions such as evacuations, road closures, and procedures to safeguard infrastructure, TRCA's role is that of providing expertise and technical assistance regarding the riverine flood hazard to municipalities.

To date, ten final packages have been developed and have been shared and implemented with nine different municipalities within TRCA's jurisdiction and are listed below.

1. City of Mississauga, Dixie-Dundas FVC
2. Town of Caledon, Bolton Core FVC
3. City of Brampton, Spring Creek/Bramalea FVC
4. City of Toronto, Black Creek - includes Jane-Wilson and Rockcliffe-Smythe FVC's
5. City of Richmond Hill, Oak Ridges FVC
6. City of Vaughan, Woodbridge FVC
7. City of Markham, Unionville FVC (TRCA package only)
8. Town of Whitchurch-Stouffville, Downtown Stouffville FVC
9. Town of Ajax, Lower Carruthers FVC

The information in these packages can be used when responding to flood emergencies and assist municipal and agency staff to make decisions and conduct emergency response actions due to flooding. The SSFRPs do not represent formal response plans and is not meant to supersede any other Municipal, Regional, Provincial or Federal emergency processes, documents or provisions, but rather to complement them.

The process of developing the SSFRPs has also strengthened the working relationships with each of these municipal emergency management partners. Municipal emergency management and operational staff must be commended on their collaboration efforts with TRCA on the development of these critical informational packages, all while managing pandemic response activities while also balancing their tasks surrounding other hazards (like flooding), for most of 2020 and continuing into 2021.

Flood Risk Outreach
Ensuring Ontarians are aware of flood risks is one of five overarching objectives within the Ontario Flooding Strategy, and communications activities for this year include the development of new and updated digital content, informational videos, and pursuing partnerships for pro-active communications together with the Peel Climate Change Partnership, Conservation Ontario, and various municipal partners. Updates and creation of new digital content, including informational videos and factsheets, related to flood risk management and flood monitoring will be added to the trca.ca web content in order to provide the public with resources and information they may be seeking. In the realm of knowledge transfer, TRCA continues to play a

role in facilitating the Provincial Flood Forecasting and Warning Committee workshop, which will be held virtually in the fall.

TRCA is continually communicating with municipal partners and improving processes through engagement and training. Flood Risk Management staff regularly attend and participate in working group meetings, preparedness workshops, outreach events, and collaborate on annual exercises with the various emergency management departments of our local partners. With the ongoing pandemic situation, participation in such activities in 2020/2021 was and continues to be limited. However, TRCA Flood Risk Management staff have continued to be engaged with partners and participate in events and meetings whenever possible. Some examples include, but not limited to, extensive collaboration on the Site Specific Flood Risk Packages, participating in Emergency Management Working Groups for the City of Toronto, presenting Riverine Flood Risk in York Region for the annual Hazard Identification and Risk Assessment (HIRA) review, collaboration on flood resiliency deliverables as part of the Peel Climate Change Partnership with Credit Valley Conservation (CVC) and regular communication with staff from the PEOC regarding Incident Management System training, and planning and implementation of Alert Ready Notification for Dam Emergency Preparedness Plans.

Staff continue to support collaborative initiatives with other CA's in the Greater Toronto Area (GTA) including the Peel Climate Change Partnership and the GTA Conservation Authority Flood Working Group. In early 2021, TRCA co-hosted an online virtual event, specifically for municipal partner staff, to review the role of CA's for flooding in the GTA. The Flood Forecasting and Warning Program Seminar (previously known as the Floods Happen Workshop) was co-hosted by TRCA, CVC, Halton Conservation and Kawartha Lakes Conservation. Two sessions were held over a two-day period which highlighted the roles and responsibilities of CA's, current monitoring advancements, emergency management planning projects as well as case studies focusing on ice jam and ice jam mitigation. TRCA also partnered with CVC, to create an Ice Jam Technical Guide intended as a resource for municipal operations staff or those who may have a responsibility to respond to the threat of ice jams.

TRCA also works to host other annual workshops such as the Provincial Flood Forecasting and Warning Committee workshop, in conjunction with the Ministry of Natural Resources and Forestry (MNRF) and Conservation Ontario. This annual workshop was a success in Fall 2020 where it was delivered as a virtual 5-session series of webinars. Over 200 attendees participated in the webinar sessions that occurred over several weeks between September to November. Conservation authority staff as well as MNRF, some federal water resource agencies as well as meteorological professionals were invited to review the latest flood events, policy changes and advancements in flood forecasting, monitoring and communications.

Conclusion

TRCA is consistently improving the flood management program, leveraging best-available technologies and processes to mitigate risk for priority areas. As the flood risk management program evolves to meet the challenges of our jurisdiction, the degree of technical support and expertise required to administer the various tools and technologies also increases. TRCA will continue to pursue both structural and non-structural measures to reduce the existing and substantial flood risk in our jurisdiction, leveraging updating flood mapping and modeling, incorporating new technologies, and enhancing emergency preparedness planning with municipal partners.

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).

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Date: June 25, 2021

Item 8.4

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: John MacKenzie, Chief Executive Officer

RE: **DISPERSAL OF FUNERAL ASHES IN WATERCOURSES**

KEY ISSUE
Response to inquiries received by TRCA, to identify appropriate options for the dispersal of funeral ashes in rivers, creeks or other water bodies within TRCA's jurisdiction.

RECOMMENDATION

WHEREAS partner municipalities and organizations have expressed interest in accessing lands owned or managed by Toronto and Region Conservation Authority (TRCA) for the dispersal of funeral ashes in rivers, creeks and other bodies of water;

AND WHEREAS TRCA is limited in its ability to regulate or formalize such practices, which sit outside of the mandate of conservation authorities, without the support of our municipal partners;

IT IS RECOMMENDED THAT TRCA continue to support partner municipalities and organizations in the development of appropriate sites and solutions for the environmentally and culturally sensitive dispersal of funeral ashes when requested to do so or when TRCA permissions are required;

THAT TRCA recommend that municipal partners consult with TRCA regarding implementing processes or identifying sites related to the dispersal of funeral ashes in creeks, rivers and other bodies of water to ensure such practices are carried out in a legally compliant and an environmentally sensitive manner;

AND FURTHER THAT TRCA express willingness to work with partner municipalities to facilitate requests to identify appropriate sites on TRCA lands for the environmentally and culturally sensitive dispersal of funeral ashes, subject to the municipality providing all required funding, maintenance and customer service resources, and to enter into appropriate fee for service and other agreements with TRCA to this end.

BACKGROUND
The dispersal of funeral ashes into water bodies such as rivers, creeks is a common end-of-life practice for various faith groups. Toronto and Region Conservation Authority (TRCA) is a significant landowner with regulatory responsibilities in the Greater Toronto Area (GTA), a resource management agency and a service provider to municipalities on the management of their greenspace. Therefore, TRCA has an interest in practices surrounding the dispersal of funeral ashes in watercourses, as well as associated practices, such as the leaving of offerings, especially where these activities have an environmental effect on these features.

In 2004, TRCA and Credit Valley Conservation (CVC) began collaborative work to address the issue of religious offerings, such as coconuts, fruit, cloth, coins or jewelry, being deposited in rivers, creeks and other bodies of water within Peel Region. Further, as the dispersal of funerary

ashes into water is customary for many faith groups, CVC and TRCA also began exploring the issue of, and need for, appropriate sites and guidelines for this practice. As part of this work, TRCA and CVC established a working relationship with the Hindu community in Mississauga to learn more about Hindu practices and in turn, share knowledge about watershed health and potential impacts due to certain practices. As a result of this collaboration, in 2006 CVC, TRCA and the Hindu Federation jointly released a brochure providing information on the impacts of religious offerings to watercourses and providing more sustainable recommendations, such as composting flowers and coconuts instead of leaving them in waterways and donating unsustainable offerings to a local temple. TRCA continued to work with temple leaders to seek opportunities for outreach and education regarding water-based faith activities and the issue of religious offerings in watercourses.

Provincial Guidelines

In the Summer of 2007, the then Ministry of Government Services and Consumer Relations (MGSCR – later re-designated the Ministry of Consumer Services) created an inter-agency working group to investigate the uses and practices of dispersing ashes on water and to recommend a solution. At the time, working group membership included MGSCR, Ministry of Natural Resources, Ministry of Environment, Environment Canada, Fisheries and Oceans Canada and CVC, who represented Conservation Ontario. Following the working group's efforts, Guidelines for Scattering Cremated Human Remains in Ontario were introduced by the Province in 2009 ("Provincial Guidelines"). The Provincial Guidelines state that the remains from cremation or alkaline hydrolysis may be scattered on private property with the consent of the landowner. The Provincial Guidelines also state that funerary ashes may be scattered on occupied and unoccupied Provincial Crown land and Crown land covered by water. Specifically, the current version of the guidelines provide that individuals may "scatter the remains from cremation or alkaline hydrolysis on Crown land, including land covered by water, if it is unoccupied (for example provincial park, conservation reserve, Great Lakes) and there are no signs or postings that prohibit scattering." (https://www.ontario.ca/page/arrange-funeral-burial-cremation-alkaline-hydrolysis-or-scattering).

In line with that guidance, Ontario Parks allows the scattering of ashes without permission, but does, however, provide the following guidance:

- Prior to scattering any ashes, individuals should contact park offices to determine a suitable location;
- A day permit is required for park use;
- No offerings may be left at the site; and
- Burial is not permitted (per the *Funeral, Burial and Cremation Services Act*)

Within the GTA, signage has been erected at Bronte Creek Provincial Park in Oakville advising of the right to disperse ashes on Crown land. However, there is currently no designated site for this activity at the park.

It should be noted that given the sensitive nature of dispersing funerary ashes, there exist several additional requirements for undertaking these practices. These include a certain level of privacy, securement of permits for any built structures, as well as additional logistical requirements, such as an accessible site and sufficient parking.

Provincial Legislation

The *Funeral Burial and Cremation Services Act* (2002, S.O. 2002, c. 33) prohibits the internment (i.e., burial) of human remains, including urns (containing ashes) except in a registered and operating cemetery. With respect to the dispersal of cremated human remains,

the *Funeral, Burial and Cremation Services Act* prohibits maintaining or setting aside land for the dispersal of cremated human remains unless the land is within a licensed cemetery. This prohibition in the legislation is interpreted as not applying to creeks, rivers and other water bodies where the bed is owned by the Crown, consistent with the Provincial Guidelines.
Any proposal for accessing lands owned or managed by TRCA for the dispersal of funeral ashes would need to be assessed to ensure compliance with the Act. This assessment would include consideration of the proposed means of accessing TRCA lands, the underlying ownership of the river, creek or other waterbody, requirements for associated signage and infrastructure, maintenance and operational needs, other uses and users of the area, as well as financial impacts including whether a fee is charged for the right to access the TRCA lands to disperse funeral ashes in the river, creek or other water body.

Current Municipal Practices within TRCA's jurisdiction
With respect to municipal lands, the Provincial Guidelines provide that an individual may "scatter the remains from cremation or alkaline hydrolysis on municipally-owned lands (contact the municipality to check if there are by-laws that prohibit scattering in certain areas such as municipal parks)". This guidance does not appear to refer to maintaining or setting aside municipal lands for the purpose of scattering ashes, and appears to be speaking to one-time occurrences of scattering ashes. Most municipalities within TRCA's jurisdiction do not have specific by-laws or policies related to scattering funeral ashes. However, municipalities are noting an increased demand from the public in general and from faith groups for accessible options to undertake the dispersal of funeral ashes in rivers, creeks and other bodies of water. As such, many municipalities are examining the options for this practice. For example, TRCA has worked with City of Mississauga staff to explore various options to offer closer, more accessible sites for scattering funeral ashes and will work with other partner municipalities, such as the City of Toronto, upon request (see "Rationale" section that follows).

Waterfront parks, as well as destination parks throughout the City of Toronto, are heavily used for personal recreational activities like picnicking, walking, running and cycling, as well as for informal and formal organized social and recreational programs and events (when compliant with local public health regulations and municipal permits). There is a need to reduce user conflict along the Lake Ontario waterfront and in other park locations where recreationalists come into contact with the bereaved as they undertake the dispersal of funeral ashes. This has been of particular concern at the boat launch areas at Bluffers Park in Toronto. While the City of Toronto does not currently allow the dispersal of funeral ashes on City property, including in parks, it is expected that new language around the scattering of ashes in City of Toronto parks and greenspace will be considered as part of an update to the City's Parks By-Law. City of Toronto staff also recently brought a report to the Council meeting held on June 8, 2021 (Item IE22.3, entitled "Toward Environmentally and Culturally Sensitive Dispersal of Funeral Ashes"), seeking direction to consult with stakeholders, including TRCA, on considerations and options for the appropriate dispersal of funeral ashes which was approved by Council.

Other municipalities have elected to create facilities for the explicit purpose of funeral ash dispersal. The City of Pickering, for example, created an accessible path to facilitate access to its beachfront where users can leave religious offerings on and for the dispersal of ashes in Lake Ontario. While the City does not have any by-laws or Council resolutions explicitly allowing the dispersal of funeral ashes, City staff worked with the Devi Mandir Hindu Temple in Pickering to identify a suitable site, the location of which was chosen due to its proximity to parking and the accessibility and privacy it offers. The temple stewards the designated site and ensures that all offerings left are biodegradable and that no offerings are left which may negatively impact the environment. Both City and temple representatives have noted that while the site was created

for the local community, many users of the site are now from other municipalities. High water levels on Lake Ontario can also make the site inaccessible and also caused concerns related to erosion, but overall, the site has been well used for approximately a decade with minimal public complaints or concerns.

Current Practices on TRCA Lands
There are currently no TRCA policies or Board of Directors resolutions explicitly sanctioning dispersal or scattering of funeral ashes on TRCA lands. Rather, historical TRCA Board of Directors resolutions focus more so on continued partnership with, and outreach to, faith groups on environmentally responsible and culturally sensitive practices and options. TRCA Board of Directors resolutions also commit to assist our local municipalities in identifying locations for religious offerings and dispersal of ashes, when requested to do so (RES. #B120/09, Executive Committee Meeting #7/09 held on September 11, 2009).

Other Conservation Authorities have taken a more explicit approach to their own lands, such as the CVC Board of Directors, which has passed a resolution that the scattering of ashes on CVC owned land is not permitted (#69/14, CVC Board of Directors, July 4, 2014).

As well, TRCA continues to play a regulatory role for any activities within a TRCA regulated area under s.28 of the *Conservation Authorities Act*, that would propose alterations to a watercourse. TRCA will review any applications for proposed sites to disperse funeral ashes in a watercourse, whether the proposed site is on TRCA, municipal or private lands, on a case-by-case basis and would evaluate the application based on the merits of whether the application meets TRCA policy tests.

RATIONALE
Overseeing the location and activity of scattering funeral ashes does not fall within TRCA's mandated responsibilities. This service falls more appropriately within the jurisdiction of agencies responsible for cemeteries and other end of life institutions, namely municipalities and faith-based organizations, or even private companies such as cemetery groups. However, TRCA would consider a request by a partner municipality that is interested in establishing an appropriate site, under management agreement with the TRCA, which explicitly includes for the dispersal of funeral ashes utilizing TRCA lands, subject to a detailed review and upon completion of an agreement as outlined in more detail below such an agreement would include all costs for TRCA being covered by the municipality. Such a request would also include required resourcing for all aspects of the development, operations and administration of such a site.

Potential TRCA Support for Municipalities
In partnership with municipalities or in our role as technical reviewers and resource managers, TRCA can play an important advisory role with respect to the selection of appropriate sites along watercourses within the jurisdiction, as well as potentially play a support role on a fee-for-service basis in the planning, design and construction of infrastructure along watercourses. Regardless of the agency or organization overseeing and administering the dispersal of funeral ashes, the following considerations, and associated costs, should be kept in mind in site selection along watercourses for the purposes of scattering funeral ashes:

- There must be evidence there will be no negative impact on the watercourse. This may be through investigatory studies, ongoing monitoring, or added restoration to mitigate potential impacts or create an added benefit to the aquatic system. Negative impacts can include, but not be limited to, excessive sediment or debris accumulation, loss of

riparian or aquatic habitat, trampling of vegetation, and/or shoreline or streambank erosion;

- Consideration of sites could include areas of existing disturbance to minimize impacts to undisturbed natural areas, as well as areas with existing public access, or where public access can be easily achieved;
- Sites should be located where access to flowing water or open water can be achieved to limit the build-up of ashes over time;
- To mitigate environmental risks and where it is culturally appropriate, it may be advisable to consider alternatives to direct input into a watercourse, such as a treatment wetland. However, such an option would need to be discussed with the potential user groups of such a site to ensure appropriateness for the faith groups that may utilize the facility;
- Provided there is no negative impact, infrastructure to minimize damage to the shoreline should be considered, such as a modified fishing node, gathering site or access point;
- Archaeological sites along watercourses should be considered to prevent the contamination of those sites; and
- Cultural and physical accessibility, both in general and for people with mobility issues, considerations for the location and of the appropriateness of the site must be considered. Outreach to the communities that may utilize the site should be carried out.
- Given the sensitive nature of dispersing the funeral ashes of loved ones, an appropriate agency or organization with appropriate experience should administer the customer services aspects of this work.
- Lands should be under management agreement with member municipalities to provide customer service and legal indemnity to TRCA for this use.

It is TRCA's preference that if a partner municipality wished to work with TRCA to create an opportunity for the sensitive and appropriate dispersal of funeral ashes, that a specific site or sites be identified, rather than opening up TRCA properties at large to the practice. This is to ensure that use of the site does not conflict with other intensive uses and conservation purposes of the resources and to ensure users are directed to an appropriate site for access to water, as well as to focus the municipal resources that would be needed for maintenance, signage and education of users on what and cannot be done at the site.

Based on TRCA's Restoration Projects and Habitat Restoration groups' previous experience, promontory structures (i.e. armourstone lookout) at the water's edge can provide a suitable gathering space to facilitate this type of ceremony. Site specific factors and engineering requirements would need to be considered for the design and construction of these types of structures, which may include size of structure, site grades and underlying soil conditions. Site specific environmental permits and approvals for this type of work would also need to be considered, which is likely to include consultation with or permissions from TRCA's Regulatory Review staff, Ministry of Natural Resources and Forestry (MNRF), Ministry of the Environment, Conservation and Parks (MECP), and in some instances, Fisheries and Oceans Canada (DFO).

If a municipality approached TRCA to explore the possibility of dispersing funeral ashes on one or more of TRCA's properties, several pieces of work would need to be undertaken. TRCA would need to retain legal counsel with experience in this area to advise on site-specific compliance, both by TRCA and any potential operators of such services on TRCA land. TRCA staff would also need to identify appropriate sites where the regular dispersal of funeral ashes would have minimal property use and ecological impacts and potentially set limits on the number of dispersals allowed annually, as well as establish a monitoring program for the site. In recognition of TRCA's mandate and the limits of TRCA's existing areas of expertise, it is also recommended that either a municipality or appropriate organization (such as an end-of-life

service provider) provide any related services required for the bereaved related to the dispersal of ashes of their loved ones.

To provide additional clarity regarding roles and responsibilities, a review of the management agreements for the lands owned by TRCA and managed by partner municipalities could also be undertaken to add more specific language regarding the dispersal of ashes. This could be incorporated into a more fulsome TRCA policy regarding end-of-life commemorations or activities on TRCA-owned lands that are managed by a partner municipality, a faith-based organization, or an organization involved in end of life services. If such activities were to be considered, it is critical that all costs, including both capital costs for infrastructure or facility development and background studies, as well as ongoing operating and monitoring costs, be funded by a municipality or appropriate agency.

TRCA's work with partner municipalities

TRCA's work with the City of Mississauga is an example of how TRCA can support municipal partners in identifying options and considerations for sites to scatter funeral ashes in watercourses. In June 2019, local Councillors and TRCA Board Members requested that TRCA examine appropriate sites and processes to facilitate the dispersal of funeral ashes in accordance with the faith requirements of the Hindu community. Such a site would be non-denominational and could be utilized by various groups.

To address this request through the latter half of 2019, TRCA staff met with City of Mississauga Parks and Forestry ("City") staff to discuss and identify opportunities for appropriate sites for the dispersal of funeral ashes in watercourses within TRCA's jurisdiction. The City of Mississauga is currently in the preliminary stages of identifying potential locations for short term and longer term options.

TRCA staff worked with City staff to determine risks due to the proposed dispersal of funeral ashes, including examining risks from a source water protection perspective, as well as risks to water quality and aquatic habitat. TRCA also reached out to the MECP regarding this proposal. Ministry staff did not raise any concerns about the dispersal of funeral ashes in creeks. In all such cases, TRCA staff recommend that baseline and ongoing monitoring of the watercourse be undertaken to ensure that no damage or impairments to water quality or aquatic habitat occur. Concerns related to the dispersal of offerings that may impact water quality or aquatic habitat, such as coconuts, other fruit, coins, jewelry or other objects, could be dealt with through the City's By-Law and through ongoing education efforts by both the City and TRCA. TRCA Archaeology staff should also review any proposed sites to confirm that there are no archaeological sites at risk registered along associated stretches and that there is no risk of impacting or contaminating archaeological sites. If a site is selected, it is also recommended that TRCA and City staff review any restoration work that has been completed or is proposed for the site to ensure no impacts. Selected sites should also be identified to minimize future archaeological contamination from burial uses.

TRCA staff will continue to work with the City to support environmentally and culturally appropriate practices related to dispersing funeral ashes in watercourses, and will provide similar support, as requested, to partner municipalities, as well as continuing to play an ongoing regulatory role.

Furthermore, as outlined above, TRCA will participate in stakeholder consultations to be held by City of Toronto staff to support City work related to establishing an appropriate site and processes related to the culturally and environmentally sensitive dispersal of funeral ashes.

TRCA's work with faith-based organizations
In addition to supporting the City of Mississauga in this initiative, TRCA has also worked with other organizations to facilitate and provide guidance on the creation of appropriate sites for the dispersal of funeral ashes. For example, TRCA has worked with the Ontario Khalsa Darbar on proposed landscaping construction that the organization will undertake in order to create a site on Etobicoke Creek for the dispersal of funeral ashes. A permit was issued by TRCA in May 2020 for Ontario Khalsa Darbar to commence this work, with a member of the TRCA Board of Directors speaking at the launch of construction at this site.

TRCA Education and Training staff has also worked with faith-based organizations on educational materials and initiatives related to the leaving of offerings in creeks and rivers, such as the brochure mentioned above, which was developed with the Hindu Federation and CVC, as well as undertaking outreach activities in Hindu temples.

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
TRCA has provided assistance to the City of Mississauga in recent discussions by facilitating high-level guidance and coordination with relevant TRCA staff through account 101-03. If municipalities or other organizations require more in-depth work from TRCA, including monitoring, in-depth stakeholder engagement, or design, restoration or project management work, it is expected that this would be conducted on a fee-for-service basis via an existing or expanded Memorandum of Understanding or Service Level Agreement.

Regarding the design of access and gathering nodes for the dispersal of funeral ashes, and dependent on-site specific factors, it is estimated that the cost for planning, design, and implementation of this type of structure would be in the range of approximately $125,000 - $250,000. This does not include additional expected associated costs, such as signage, plantings, monitoring or archaeological assessments. Additional costs may be borne for the ongoing management of the lands, including maintaining customer service standards.

DETAILS OF WORK TO BE DONE
TRCA will continue to support municipalities, such as the City of Mississauga and City of Toronto, through providing guidance on best practices and considerations and potentially engagement with relevant faith groups, where the work aligns with TRCA's mandate. TRCA may also provide fee-for-service work that can include: providing detailed advice; aquatic monitoring; design, restoration and/or project management services for sites or facilities adjacent to watercourses; and/or more in-depth education and engagement with stakeholders. TRCA will continue to provide plan review services for relevant projects and sites that require TRCA permits.

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Date: June 7, 2021

Item 8.5

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **UPDATE ON THE AWARDED CONTRACT FOR MULTI-FACTOR AUTHENTICATION UNDER TRCA'S VENDOR OF RECORD ARRANGEMENT WITH CDW CANADA**

KEY ISSUE
Update on TRCA's upcoming implementation of Multi-Factor Authentication (MFA) security measures.

RECOMMENDATION

WHEREAS Multi-Factor Authentication (MFA) for remote access is a new industry requirement for the renewal of TRCA's optional cyber insurance policy and therefore TRCA is implementing MFA to retain its coverage eligibility;

IT IS RECOMMENDED THAT this report on TRCA's implementation of MFA security measures be received.

BACKGROUND
TRCA's insurers have indicated that there has been a steady increase in cyber related attacks and losses facing the global IT sector. In particular, the industry has seen a 240% increase in ransomware attacks in the last operating year alone, and at the same time, ransomware payments have increased 2300%.

It has become standard for many organizations to finance the risk of cyber-attacks, As a result, TRCA has maintained a standard cyber insurance policy since 2017. This insurance policy provides both first party and third-party liability coverage in the case of a cyber-attack against the organization. TRCA's insurance brokerage, Marsh Canada has informed TRCA that 85% of cyber claims now come from organizations that have not implemented Multi-Factor Authentication (MFA). MFA is a security protocol that requires system users to verify their identity using two or more pieces of independent evidence, usually a combination of something the user knows (e.g., a password), something the user has (e.g., key generator) or biometrics (e.g. a fingerprint).

Because of its effectiveness in protecting against cyber-attacks, MFA has now become a minimum requirement for binding cyber insurance coverage as well as an industry-wide standard security protocol implemented by numerous businesses who require remote access to network services. The implementation of MFA at TRCA will require the installation of software as well as distribution of some hardware across the entire organization. Because of these new additional measures at TRCA, this report is being brought forward in accordance with TRCA's Strategic Business Planning (SBP) Policy, which requires that all potential new projects/programs or proposed modifications to existing initiatives must proceed through the SBP Policy workflow, including reporting to the Board of Directors for informational purposes.

At Authority Meeting #5/17 the Authority passed resolution #A111/17 awarding contract #10003898 for the Vendors of Record for Supply of End-Use Computing Devices and Services to three Ontario Education Collaborative Marketplace (OECM) vendors, including CDW Canada,

for the purchase of end user hardware and software. Since that time, TRCA has been using the Vendor of Record arrangement to supply the majority of TRCA's computing and software needs.

RATIONALE
To meet the requirements of TRCA's cyber insurance policy, as well as to further protect TRCA's IT infrastructure, staff have been working diligently to implement MFA as quickly as possible. Given the ongoing success of using TRCA's Vendor of Record program as well as leveraging the OECM cooperative purchasing program, staff have elected to continue to use TRCA's end user computing system VOR to implement a combination of software and hardware systems to meet MFA requirements.

To implement MFA, staff have selected the Okta platform which was first launched in 2009. Otka's time in the market has given it a maturity and depth of integration support not found in other similar systems such as Azure Active Directory. Okta supports legacy systems that do not have integrated support for single sign-on authentication protocols. This will allow TRCA to continue to utilize critical programs such as TRCA's accounting software package as well as its centralized archival and document storage systems.

The use of the Okta platform will also allow for a centralized interface to access multiple applications, allowing for a single point of entry and a simplified and consistent user experience for all staff. In terms of the user experience, TRCA will be rolling out MFA using a combination of physical key generator fobs as well as cellphone applications. When implemented, network users will be requested to enter their username and password as normal but will be further prompted to enter a unique code provided by either their cellphone, or key generator fob before being allowed to login to TRCA's systems.

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
Initial implementation of MFA is estimated to cost approximately $40,000 - $60,000, ongoing costs are estimated at approximately $44,000 and will be allocated to IT capital account 014-01. TRCA has entered into a 3 year arrangement with CDW for the MFA service. The three-year arrangement provides a balance of stability in managing costs, while offering some medium-term flexibility to review the effectiveness of the service in the context of TRCA's evolving operating environment.

DETAILS OF WORK TO BE DONE
Information Technology and Records Management staff have begun implementation of MFA services. Full implementation will require installation of the MFA software platform across TRCA's computer network. Furthermore, MFA key generator fobs will be distributed to staff to enable the generation of unique identifiers to be generated by all staff. In addition to implementing MFA, staff continue to assess cyber security threats against TRCA to ensure its IT system is as resilient as possible to cyber-attack. This includes migration from legacy systems, security audits, and the development of standardized policies and procedures for the use of TRCA's IT network.

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Date: June 16, 2021

Item 8.6

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, June 25, 2021 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **TORONTO AND REGION CONSERVATION AUTHORITY'S NEW ADMINISTRATIVE OFFICE BUILDING PROJECT**

KEY ISSUE
Update to the Board of Directors regarding the construction of the New Administration Office Building Project.

RECOMMENDATION

IT IS RECOMMENDED THAT this staff report be received.

BACKGROUND
On February 27, 2015 Res. #A23/15 approved 5 Shoreham Drive as the preferred site for the new TRCA administration building. On June 24, 2016 Res. #A85/16 approved a project budget of $70M with $60M provided by participating municipalities and the remaining funds from land disposition funds. On February 24, 2017 Authority Res. #A14/17 staff reported that all six of TRCA's participating municipalities had approved the Project and the allocation of $60M in new and existing capital funding. On May 25, 2018 Authority Res. #A79/18 staff reported that the Minister of Natural Resources and Forestry granted approval to use $3,538,000 in disposition proceeds from land sales, for a revised overall budget of $63,538,000 and, if possible, that the disposition funds be used to reduce the overall term of the required financing. The revised approved upper limit of the project budget of $60M was not increased at that time, as the decision was made to wait until the tendering process was complete in mid-2019 to determine a more accurate budget for the project. On Friday July 26, 2019 Board of Directors Res.#A145/19 staff provided an update on the budget for TRCA's Administrative Office Building project and were directed to award contracts based on the approval of the budget upper limit being increased from $60,000,000 to $65,538,000 which reflected the available sources of funding from stakeholders. This increase reflected that the project had qualified for a $2,000,000 grant from NRCan.

On Friday January 24, 2020 Board Meeting Res.#A232/19 authorized staff to extend the lease at 101 Exchange Avenue at the existing lease rate to February 2022 because of approval delays moving the building occupancy period to Nov. 2021/Jan. 2022.

On Friday April 24, 2020 Board Meeting Res.#A44/20 received an update on the delay to the project related to COVID-19.

On November 20, 2020 RES.#A193/20 and February 26, 2021 RES.#A21/21 provided an update on the schedule and construction progress of the New Administrative Office Building. The building occupancy period has moved to June 2022 due to a combination of approval and construction delays.

RATIONALE

Schedule Update
Since the February report, there have been further delays related to on site coordination issues and the mass timber trade having manufacturing and supply chain problems. The mass timber structure is expected to be completed by September 2021 with the building enclosed by January 2022. The focus will then shift to interior construction and design, landscaping, and all site servicing, which is expected to be completed by September 2022.

	Baseline	**February 2021 Board Report**	**As of May 31, 2021**
Occupancy Permit	November 24, 2021	May 2022	August 2022
TRCA Move in Date	November 29, 2021	June 2022	August 2022
Substantial Performance	December 17, 2021	June 2022	September 2022
Total Completion	January 4, 2022	July 2022	September 2022

Construction Cost Update
An update to TRCA's construction budget, compared to the prior Board report brought forward on February 26, 2020 is provided below:

	Construction Cost as of Sept 30,2020	**Construction Cost as of May 31, 2021**	**Variance**
Construction Cost	$42,032,849	$41,666,429	($366,420)
General Conditions	$6,187,565	$6,187,565	$0
Construction Management Fee	$948,862	$954,311	$5,449
Construction Contingency	$2,393,279	$2,440,415	$47,136
Total Construction Costs	**$51,562,555**	**$51,248,720**	($313,835)
Consultant Fees	$4,297,883	$4,484,509	$186,626
Permits	$626,658	$626,658	$0
Furniture/Fittings and Equipment	$1,750,000	$1,057,813	($692,187)
Relocation Costs	$2,026,697	$2,026,697	$0
Project Mgmt.	$1,613,010	$1,548,391	($64,619)
Financing Costs	$1,940,016	$1,940,016	$0
Non-Recoverable HST (1.76%)	$1,066,993	$1,071,661	$4,668
Soft Cost Contingency	$399,000	$1,146,077	$747,077
Total Costs	**$65,282,812**	**$65,282,812**	$0
Total Available Funds	**$65,765,900**	**$65,765,900**	$0
Additional Unallocated Contingency Funds	**$483,088**	**$483,088**	$0

The decrease in furniture/fittings and equipment is due to estimates provided by the vendor which are expected to lead to reduced costs, and these cost savings have been re-allocated to cover the rising costs associated with the soft cost contingency, as noted below.

Site Access Update
In follow-up to the February status report, the access agreement with Tennis Canada has been executed. This agreement was a prerequisite to finalizing a lease with the City of Toronto for

the remaining of the road allowance providing vehicular access to the building site. Toronto staff will be bringing a report to the City Council recommending nominal rent for this access agreement. When this final access agreement is completed, TRCA will apply for final site plan approval as construction is continuing under conditional approval at this time.

Construction Contingency
The issues that affect construction costs are almost entirely related to changes made during the construction phase. As such, TRCA planned accordingly and included an industry standard 5% contingency on construction costs.

Following the January 2020 Procurement Guideline - Part 11.2 - Contract Change Approvals - staff will utilize this budget item to cover all change costs and Change Orders will be issued for approval and signing per the *CS-3.02-P Signing Officers* Policy.

Construction commenced January 2020 and several items have emerged to ensure the project is properly coordinated and meets the project sustainability and overall ambitions and all municipal building review conditions.

Type of Change	**Amount**
Allocated - Change has been issued and a trade price provided and reviewed and is either approved or waiting for TRCA approval.	$787,995 (32% of contingency)
Not Yet Allocated - Changes that are out for trade pricing. This number is an estimate and will be revised.	$782,415 (32% of contingency)
Construction Contingency Costs to date	$1,570,410
Total Construction Contingency	$2,440,415
Remaining Unallocated Construction Contingency	$870,005 (36% of contingency)

As reported in Board of Directors Meeting #7/20, Friday, October 23, 2020, there is a risk that delay claims and COVID-19 related costs may cause the project to go over budget. There are currently $1,056,433 in disputed construction contingency items, that are not included in the above chart, as it is TRCA's position that TRCA is not responsible for these costs.

An additional breakdown can be provided to the Board in-camera, as required.

Soft Cost Contingency:

Type of Change	Amount
Allocated - Change has been issued by a consultant or other costs and approved by TRCA.	
Post Tender Value Engineering Cost Reduction	$306,135
Design/Building Future Proofing	$258,885
Open-Loop Geo-Exchange Investigations	$191,595
Permits/Certifications	$143,408
Tennis Canada Negotiations	$84,425
Enbridge Design Charette	($30,000)
FCM Grant for Open Loop Geo Exchange Investigations	($175,000)
Total	$779,448 (68% of contingency)
Not Yet Allocated – Additional insurance required due to construction delays. This number is an estimate and will be revised.	$349,720 (31% of contingency)
Soft Contingency Costs to Date	$1,129,168
Total Soft Cost Contingency	$1,146,077
Remaining Unallocated Soft Cost Contingency	$16,909

The portion denoted as “Not Yet Allocated” reflected anticipated costs related to the need to extend builders insurance due to the construction delays.

The approved changes listed above include costs related to the open-loop geo-exchange investigations some of which are covered through a grant provide by the Federation of Canadian Municipalities. The open-loop geo-exchange investigation, design and construction, once proven to be viable, will be covered by the geo-exchange budget in the construction budget. It is expected the open loop system will provide a capital savings as well as operational savings through reduced energy use.

An additional breakdown can be provided to the Board in-camera, as required.

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 1 – Green the Toronto region’s economy
Strategy 7 – Build partnerships and new business models
Strategy 10 – Accelerate innovation

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Date: June 23, 2021

James Pasternak
Councillor | York Centre - Downsview

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Toronto, Ontario M5H 2N2

Item 10.1

June 25, 2021
Clerk and Manager, Policy
Toronto and Region Conservation Authority
Board of Directors
101 Exchange Avenue
Vaughan, ON L4K 5R6

New Item for the June 25th, 2021, Toronto and Region Conservation Authority Board of Directors meeting

Recommendations:

1. THAT Toronto and Region Conservation Authority conduct a study on the potential "adverse" environmental impacts of a mega-development project proposed at 1881 & 1875 Steeles Avenue West on the Don River West and ravine system, located east of the development *(item "B" in Attachment #1)* and report back to the Board of Directors on their findings by the end of the year.

The City of Toronto has received a development application at 1881 & 1875 Steeles Avenue West which proposes a total of 3 mid-rise and 4 high-rise buildings. With approximately 2000 new residential units and 1800 parking spaces planned, the influx of residents will significantly impact the existing neighbourhood, parks, ravines, and community facilities in both Vaughan and the City of Toronto. A community consultation meeting regarding this application took place in early May and was attended by over 100 local residents. During the meeting, a key concern voiced by numerous members of the public was the environmental protection and preservation of the Don River West located just east of the proposal. The goal of this motion is to address said concerns of community members and facilitate a detailed analysis on the potential environmental impacts of the proposal on the Don River West and ravine system (see Attachment #1) and report back to the Board of Directors on their findings by the end of the year.

Sincerely

James Pasternak
Councillor, Ward 6

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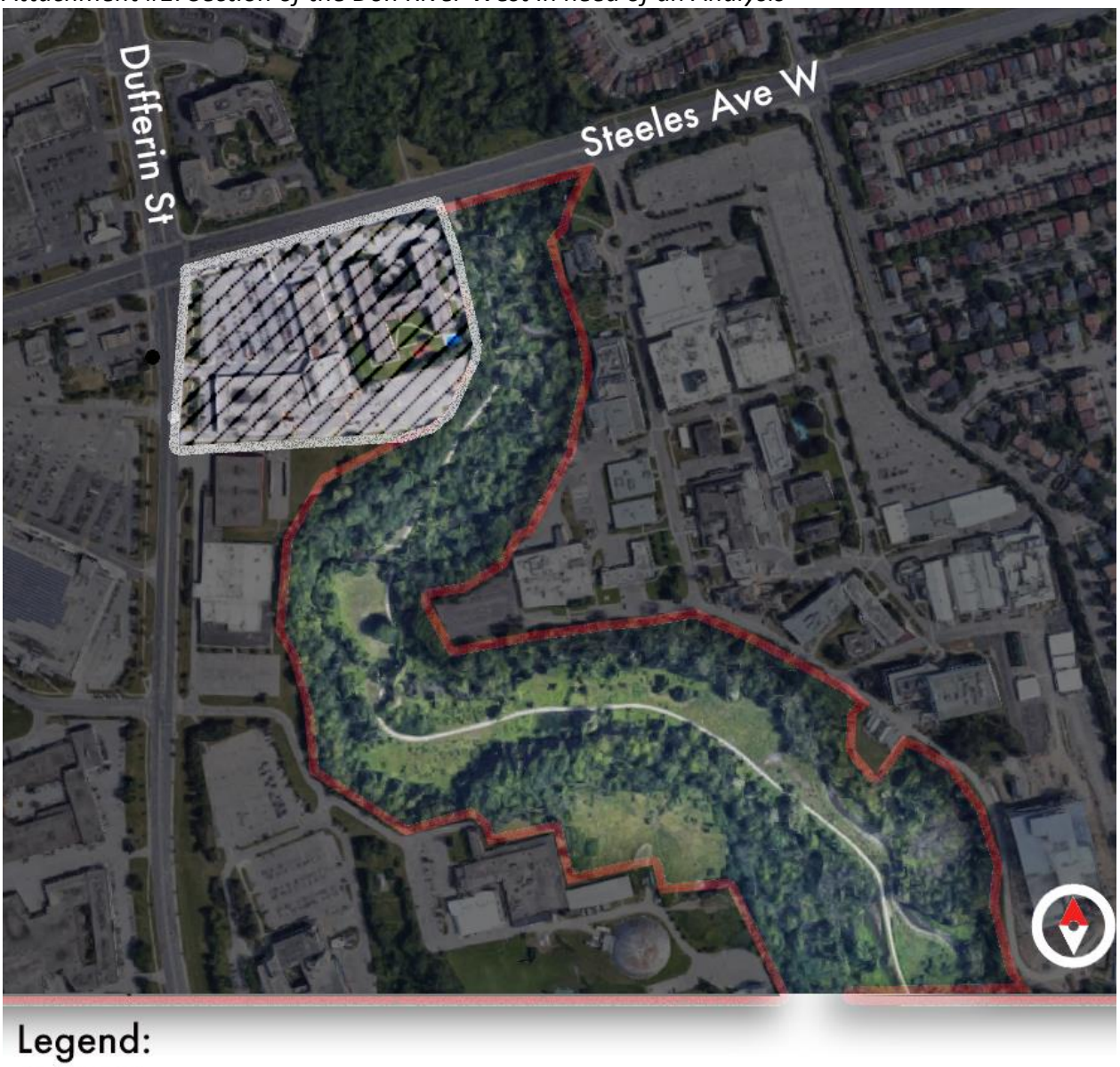
Attachment #1: Section of the Don River West in need of an Analysis



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