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Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, March 24, 2023 Meeting

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: APPROVAL TO ENTER INTO DISCUSSIONS WITH PARKS CANADA AND INITIATE REQUIRED PUBLIC CONSULTATION ON POTENTIAL TRCA LANDS TO BE INCLUDED IN AN EXPANDED ROUGE NATIONAL URBAN PARK IN DURHAM REGION

Approval to enter into discussions for conveyance of certain Toronto and Region Conservation Authority-owned lands, in the municipalities of Uxbridge and Pickering, for inclusion in a potential future expansion of the Rouge National Urban Park (CFN 46156)

KEY ISSUE

Approval to enter into discussions and initiate required public consultation for conveyance of certain Toronto and Region Conservation Authority (TRCA) owned lands in the municipalities of Uxbridge and Pickering to Parks Canada Agency (PC) for future inclusion in a potential future expansion of the Rouge National Urban Park (RNUP) (CFN 46156).

RECOMMENDATION:

THE BOARD OF DIRECTORS RECOMMENDS THAT WHEREAS TRCA has conveyed over 2,200 hectares of land to Parks Canada (PC) for Rouge National Urban Park (RNUP) since 2014 and has identified additional TRCA-owned and government owned lands with potential to support future expansion to the park as well as local and regional trail connections;

AND WHEREAS PC has requested to enter into discussions regarding TRCA-owned lands in the municipalities of Uxbridge and Pickering that are suitable for inclusion in a future expansion of the RNUP as well as local and regional trail connections;

THEREFORE LET IT BE RESOLVED THAT TRCA staff engage in discussions with PC, Regional Municipality of Durham, Township of Uxbridge, and City of Pickering to determine which TRCA lands could be conveyed to PC subject to the following conditions;

- a) **consideration is to be the nominal sum of \$2.00;**
- b) **PC is responsible for all legal, survey and other costs related to the land conveyance;**
- c) **conveyance by TRCA of lands and/or easements for municipal infrastructure to the Region of Durham, Township of Uxbridge and City of Pickering, if requested by the municipality and subject to concurrence by PC;**
- d) **PC is to fully indemnify TRCA from any and all claims from injuries, damages or costs of any nature resulting in any way, either directly or indirectly, from this conveyance;**

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- e) any additional reasonable terms and conditions as deemed appropriate by TRCA staff or its solicitor.

THAT TRCA staff report back to the Board of Directors with recommendations on the specific lands to be conveyed once determined;

AND THAT upon identification of the lands to be disposed of, public consultation and notification to the Minister of Natural Resources and Forestry occur in accordance with the requirements of Section 21 of the Conservation Authorities Act, as applicable, including a public consultation period of 45 days and notification to the Minister 90 days in advance of any proposed disposition;

AND THAT TRCA continue discussion with the Province and Federal Government on government owned lands that could be conveyed to TRCA, PC, or municipal partners in support of TRCA's Regional Trail Strategy, Natural Heritage Strategy, and other TRCA and municipal partner objectives.

BACKGROUND

At Executive Meeting #11/13 held on January 17, 2014, Resolution #A239/13 was approved as follows:

“...THAT TRCA lands containing 2,266 hectares (5,600 acres), more or less, and highlighted on attached plan be conveyed to PC for the Rouge National Urban Park...”

In June 2019, TRCA completed the transfer of all lands (save a few parcels in the vicinity of the Toronto Zoo) to PC. Realizing the vision for, and importance of, this National Park, and as a valued partner of PC, TRCA has conveyed land to PC for inclusion in the RNUP over the years for nominal consideration.

Through the on-going working relationship with PC, the potential for investigating the possibility of conveyance of additional lands by TRCA has been identified. TRCA has also been copied on correspondence from municipal officials to Parks Canada and Transport Canada officials indicating their support for the expansion of the RNUP. Recently, TRCA has also fielded questions from stakeholders, media, and municipal partners on TRCA ownership of lands within the Duffins Rouge Agricultural Preserve (DRAP) in connection with the recent revocation by the Province of the Duffins Rouge Agricultural Preserve Act, the Central Pickering Development Plan along with the removal of the DRAP from the Greenbelt Plan. While TRCA retains ownership of only 84 ha (with an additional 93 ha under conservation easement) in the DRAP the lands are ecologically valuable containing habitat for rare and threatened species and are close to the RNUP. The lands also include floodplain areas of Petticoat Creek and lands adjacent to and buffering Duffins Creek.

TRCA lands in the DRAP and in the Rouge Park Neighbourhood of the City of Pickering are proximate to the RNUP and connected to the Park via terrestrial and aquatic linkages via the Rouge Duffins Wildlife Corridor and Petticoat Creek. The lands are also connected to other TRCA and PC holdings with significant ecological features and functions including the Townline Swamp and Amos Pond Provincially Significant Wetland complexes and the

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Altona Forest Area Environmentally Sensitive Area. TRCA has been working with landowners to strategically acquire parcels of land in the Rouge Park Neighbourhood of the City of Pickering through the development process. In addition, TRCA with investments from the Federal government, involvement of the City of Pickering and Durham and through partnerships with organizations including Waterfront Regeneration Trust and Friends of Altona Forest has been upgrading trails and conducting stewardship work for these assets. The Region of Durham with advice from TRCA is currently advancing The Meadoway East project within the Gatineau Hydro Corridor within this part of Pickering.

TRCA holdings in Uxbridge being considered for inclusion in the RNUP include the Goodwood Resource Management Tract, Secord Forest and Wildlife Area and Clubine Forest which connect the RNUP to the Durham Regional Forest and Provincially owned lands in Uxbridge via the Oak Ridges Trail and Great Trail. These TRCA owned lands contain important headwater areas and regionally significant forests while also providing vital trail linkages that are a focus of stewardship and land management activities involving volunteer organizations, the Town, Region, and TRCA.

RATIONALE

TRCA landholdings adjacent to or in close proximity to RNUP that were not part of the original 2014 approved conveyance, as illustrated in Attachments 1-4. These lands have significant ecological value, are important for water conveyance and flood mitigation, and offer nature-based recreational activities along their trail networks particularly in Uxbridge.

Attachment 1 is a sketch illustrating the location of the possible subject lands in the Township of Uxbridge.

Attachment 2 is an orthophoto illustrating the location of the possible subject lands in the Township of Uxbridge.

Attachment 3 is a sketch illustrating the location of the possible subject lands in the City of Pickering.

Attachment 4 is an orthophoto illustrating the location of the possible subject lands in the City of Pickering.

At the request of PC and in consultation with municipal officials, TRCA is evaluating the opportunity to contribute to the expansion of this world-renowned legacy park for future generations of Canadians. TRCA and other levels of government currently have land holdings which are ecologically important and which, if knit together to combine ownership and/or management, could leave a significant legacy in Canada's National Park system. The combination of lands, operated as a National Park with sufficient tax supported funds for operations and management, would provide and support ecological and trail connectivity, environmental education, and natural stewardship objectives, as well as better protect these landholdings in the context of large-scale growth and development pressures facing the Greater Toronto Area and surrounding regions.

In addition, consistent with the previous TRCA conveyances to PC, TRCA may be requested to grant certain easements or nominal conveyance for infrastructure to municipalities prior to transfer of lands to PC. Municipal parties may also identify several

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road improvements (road widening, daylight triangles, turning radius') which may be required in respect of municipal roads and other infrastructure within the vicinity of lands that may be conveyed.

Bill 23 amendments to the Conservation Authorities Act introduced revised requirements in respect of the disposition of conservation authority land. Previously, where a conservation authority proposed to dispose of land where the Minister has made a grant under section 39, approval by the Minister was required prior to the disposition of such land, except where the disposition was for provincial or municipal infrastructure and utility purposes. The revised requirements under Section 21 of the Act now require that the Minister be notified 90 days in advance of the proposed disposition and enable the Minister to direct the conservation authority to apply a specified share of the proceeds of the disposition to support mandatory programs and services provided by the authority. There are also new requirements under Section 21 that require a conservation authority to conduct public consultation for a minimum period of 45 days if the conservation authority proposes to dispose of land in respect of which the Minister has made a grant under section 39 and the land includes:

- (a) areas of natural and scientific interest, lands within the Niagara Escarpment Planning Area or wetlands as defined in section 1 of the Conservation Land Act;
- (b) the habitat of threatened or endangered species;
- (c) lands in respect of which the authority has entered into an agreement with the Minister in relation to forestry development under section 2 of the Forestry Act; or
- (d) land that is impacted by a type of natural hazard listed in subsection 1 (1) of Ontario Regulation 686/21 (Mandatory Programs and Services).

The report has benefited from early discussions with PC, municipal partners, and stakeholders. Upon identification of the lands that may be disposed of, TRCA staff shall undertake required public consultation and carry out such consultation in accordance with the requirements of Section 21 of the Conservation Authorities Act. This consultation would be coordinated and communicated with our municipal partners in Durham Region including the Region, City of Pickering, Uxbridge, the Province, and with Parks Canada.

Relationship to TRCA's 2022-2034 Strategic Plan

This report supports the following Pillar and Outcome set forth in TRCA's 2023-2034 Strategic Plan:

Pillar 1 Environmental Protection and Hazard Management:

- 1.2 Leadership in greenspace conservation

FINANCIAL DETAILS

PC will be responsible for all survey, legal and other costs associated with the contemplation and completion of any land transfers.

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Date: February 1, 2023

Attachments: 4

Attachment 1: RNUP Expansion Uxbridge Site Plan

Attachment 2: RNUP Expansion Uxbridge Orthophoto

Attachment 3: RNUP Expansion Pickering Site Plan

Attachment 4: RNUP Expansion Pickering Orthophoto