

Section I – Items for Authority Action

TO: Chair and Members of the Executive Committee
Meeting #5/18, Friday, July 06, 2018

FROM: Michael Tolensky, Chief Financial and Operating Officer

RE: **CITY OF TORONTO**
Request for a Permanent Easement Required for the Ashbridges Bay
Wastewater Treatment Plant Outfall, City of Toronto, Lake Ontario Waterfront
(CFN 59941)

KEY ISSUE

Request from the City of Toronto, for a permanent easement located offshore of Lake Ontario, south of Lakeshore Boulevard East and east of Leslie Street, in the City of Toronto, required for the Ashbridges Bay Wastewater Treatment Plant Outfall, Lake Ontario Waterfront.

RECOMMENDATION

THE EXECUTIVE COMMITTEE RECOMMENDS THAT WHEREAS Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the City of Toronto to grant a permanent easement located offshore of Lake Ontario, south of Lakeshore Boulevard East and east of Leslie Street, in the City of Toronto, required for the Ashbridges Bay Wastewater Treatment Plant Outfall, Lake Ontario Waterfront;

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

THEREFORE LET IT BE RESOLVED THAT a parcel of TRCA-owned land containing 5.79 hectares (14.30 acres), more or less, of vacant land, required for the Ashbridges Bay Wastewater Treatment Plant Outfall, said lands being Part of Water Lot Location CL3845, in front of Marsh Lands Patented to the City of Toronto, May 18, 1880, in the City of Toronto, be granted to the City of Toronto;

THAT consideration be the nominal sum of \$2 and all legal, survey and other costs to be paid by the City of Toronto;

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

THAT a permit pursuant to Ontario Regulation 166/06, as amended, be obtained by City of Toronto prior to the commencement of construction, if required;

THAT said conveyance be subject to the approval of the Minister of Natural Resources and Forestry in accordance with Section 21(2) of the *Conservation Authorities Act*, R.S.O. 1990, Chapter C.27, as amended, if required;

Item 8.3

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

The City of Toronto has requested the granting of a permanent easement over TRCA-owned lands, located offshore of Lake Ontario, south of Lakeshore Boulevard East and east of Leslie Street, in the City of Toronto, required for the Ashbridges Bay Wastewater Treatment Plant Outfall, Lake Ontario Waterfront.

The Ashbridges Bay Wastewater Treatment Plant is one of Canada's largest and oldest facilities. The City of Toronto is planning to construct a new outfall at the Ashbridges Bay Wastewater Treatment Plant to replace the existing outfall, which has insufficient capacity for current and future effluent flow and is nearing the end of its service life. The new outfall will provide adequate capacity to convey treated effluent by gravity from the Ashbridges Bay Wastewater Treatment Plant and disperse it into Lake Ontario. The new outfall will benefit the City by providing capacity for current and future flows, while also providing adequate dispersion of the treated effluent into Lake Ontario to improve near shore water quality.

The new outfall is one of many projects underway within and in proximity to the subject TRCA lands. TRCA has been working closely with the City of Toronto to ensure coordination of all planning and works in the local area. In 2015, in partnership with the City of Toronto, TRCA completed a Conservation Ontario Class Environmental Assessment (EA) along the shoreline of the Ashbridges Bay Wastewater Treatment Plant. The objective of the project was to provide a solution for erosion and sediment control while accommodating two City of Toronto waste/storm water facilities on a new landbase. Detailed design for the Ashbridges Bay Landform is currently underway and expected to be complete by fall 2018. The Landform design will include shoreline protection, sediment control structures, and integrate aquatic habitat enhancements. It should be noted that as part of the EA study marine archeology investigations were undertaken for the subject lands (CRM Lab 2009). The report determined that there is no archaeological potential present and as a result it was recommended that the area be cleared of archaeological concerns.

The subject TRCA-owned lands were acquired from Her Majesty the Queen in Right of Ontario on May 17, 1984 under the Land Acquisition Project 1982-1984 – Lake Ontario Waterfront (Aquatic Park Sector). Attachment 1 is a sketch illustrating the location of the subject lands.

RATIONALE

The City of Toronto is a municipal partner of TRCA and has requested that TRCA lands required for the permanent easement for the Ashbridges Bay Wastewater Treatment Plant Outfall, be conveyed for a nominal consideration of \$2.

FINANCIAL DETAILS

The City of Toronto has agreed to assume all legal, survey and other costs involved in completing this transaction.

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Date: June 6, 2018

Attachments: 1