

FURTHER TO AUTHORITY MEETING #3/05
To be held Friday, April 29, 2005

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7. CONSIDERATION OF REPORTS TO THE AUTHORITY

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7.2 DELIVERY AGREEMENT FOR TOMMY THOMPSON PARK 17-19

NEW ITEM - ITEM 7.3

7.3 FLOODING ON PROPOSED TORBRAM ROAD GRADE SEPARATORS (TWO RAILWAY UNDERPASSES) SOUTH OF HIGHWAY 407 20-23

TO: Chair and Members of the Authority
Meeting #3/05, April 29, 2005

FROM: Adele Freeman, Director, Watershed Management

RE: TOMMY THOMPSON PARK MASTER PLAN IMPLEMENTATION

KEY ISSUE

Approval of an Eligible Recipient Delivery Agreement in regard to the implementation of the Tommy Thompson Park Master Plan.

RECOMMENDATION

THAT approval be granted to enter into an Eligible Recipient Delivery Agreement with the Toronto Waterfront Revitalization Corporation (TWRC) for the purpose of implementing the Tommy Thompson Park Master Plan within the City of Toronto at an estimated cost of \$8 million;

THAT the Eligible Recipient Delivery Agreement be subject to terms and conditions satisfactory to Toronto and Region Conservation Authority (TRCA) staff and solicitors;

THAT the Eligible Recipient Delivery Agreement include provisions that the work is fully funded by TWRC;

AND FURTHER THAT the appropriate TRCA officials and solicitors be authorized and directed to execute all necessary documentation required.

BACKGROUND

In 1959, the Toronto Harbour Commissioners (now known as the Toronto Port Authority) began construction of a spit of land at the base of Leslie Street in the City of Toronto. From 1959 until present day, a combination of lakefilling and dredging activities created the current configuration of the Leslie Street Spit extending 5 kilometers into Lake Ontario and having a total land/water base of approximately 471 hectares. The Toronto and Region Conservation currently owns 247 hectares of this land and water which is formally known as Tommy Thompson Park (TTP). Those areas still under construction are owned by the Ontario Ministry of Natural Resources (OMNR) and are leased to the Toronto Port Authority (TPA). The OMNR indicated the intent to transfer a further 224 hectares of land and water to the TRCA upon the completion of lakefilling activities.

Tommy Thompson Park has evolved into one of the most significant features along the north shoreline of Lake Ontario. It is home to numerous birds, fish, reptiles, amphibians, mammals and vegetation communities, which have distinguished Tommy Thompson Park as an Important Bird Area (IBA) and as an Environmentally Significant Area (ESA #130). The IBA international designation demonstrates Tommy Thompson Park's significance nationally, as well as globally for its biological contribution to bird life. As an ESA, Tommy Thompson Park is recognized as supporting an unusually high diversity of biological communities, including provincially and regionally rare plant species.

The Tommy Thompson Park Master Plan was developed in 1989 and an addendum to the master plan and Environmental Assessment was completed in 1992. On February 22, 1995, the Ministry of the Environment, under subsection 7(1) of the *Environmental Assessment Act* approved the master plan. The main objectives include the:

- preservation of significant species;
- protection of environmentally significant areas;
- enhancement of aquatic and terrestrial habitat; and
- enhancement of public recreational opportunities.

Limited funds have been available to implement the master plan to date. The park is currently operated under the Interim Management Program in accordance with the delegated responsibilities given to the TRCA by the Province of Ontario. The Interim Management Program is in keeping with an agreement with the City of Toronto for the TRCA to operate the site until such time that the master plan is implemented.

On May 20, 2004, Human Resources and Skills Development Canada, as the agency through which Toronto Waterfront Revitalization Initiative project funds flow, announced that \$8,000,000 would be allocated to implement the Tommy Thompson Park Master Plan, achieving its goal of an "Urban Wilderness Park". The scope of this work, all within the boundaries of the approved master plan, includes the creation of park infrastructure and amenities including a new gateway, washroom facilities, trails, signage and an interpretive centre. Natural areas restoration includes wetland development, embayment enhancement and habitat creation.

Tommy Thompson Park has established itself as a unique place for a variety of human activities, attracting well over 100,000 visitors a year. These users only access the park on weekends and holidays and represent a very broad range of park users including birdwatchers, naturalists, cyclists, in-line skaters, pleasure walkers, joggers, researchers and students. Increased visitorship will be achieved by extending the current hours of operation to weekdays and through the addition of formalized park infrastructure.

At Authority Meeting #7/04, held on July 23, 2004, TRCA staff received direction to proceed with implementation of the master plan. Resolution #A220/04 was approved, in part, as follows:

...THAT staff be directed in conjunction with the City of Toronto to enter into discussions and preparation of an agreement with the federal government and the Toronto Waterfront Revitalization Corporation (TWRC) for implementation of the Tommy Thompson Park Master Plan by the Toronto and Region Conservation Authority (TRCA)...

DETAILS OF WORK TO BE DONE

TWRC will develop an Eligible Recipient Delivery Agreement based on the format of previous agreements, including the Delivery Agreement for the Western Beaches Watercourse Facility. TRCA has prepared and submitted an Annual Expenditure and Work Plan to TWRC which sets out the authorized activities for each fiscal year. TRCA staff and solicitors will review the proposed TWRC Delivery Agreement and, subject to terms and conditions satisfactory to TRCA and its solicitors, execute the agreement. Staff will report to the Authority on the work plan and implementation details.

FINANCIAL DETAILS

The full cost of this project is \$8,000,000, including all administrative costs. The project budget will be covered under the Eligible Recipient Delivery Agreement.

Report prepared by: Nancy Gaffney, extension 5313

For Information contact: Nancy Gaffney, extension 5313

Date: April 22, 2005

TO: Chair and Members of the Authority
Meeting #3/05, April 29, 2005

FROM: Carolyn Woodland, Director, Development Services

**RE: POTENTIAL FLOODING ON PROPOSED TORBRAM ROAD GRADE
SEPARATORS (TWO RAILWAY UNDERPASSES) SOUTH OF HIGHWAY 407
UNDER REGIONAL STORM CONDITIONS**

KEY ISSUE

Two proposed railway underpasses have the potential to be flooded under Regional Storm conditions to depths ranging from 4.6 metres (15 feet) to 6 metres (19 feet) and would pose a threat to public safety. The present Environmental Assessment submission for the Torbram Road Grade Separator Project is in contravention of the Provincial Policy Statement (PPS), Toronto and Region Conservation Authority's Valley and Stream Corridor Management Program (VSCMP) and Ontario Regulation 158 - Fill, Construction, Alteration to Waterways Regulation.

RECOMMENDATION

THAT the City of Mississauga and City of Brampton be requested to include in the draft and final Environmental Study Report, a copy of their respective city's preliminary Emergency Plans as governed under the Emergency Readiness Act for the Torbram Road Grade Separators to address the issues of "Public Safety" and "Safe Access for Emergency Vehicles" in order to seek compliance with the Provincial Policy Statement, with the understanding that further details and confirmation of the final Emergency Plan will be resolved during the detailed design phase;

THAT the City of Mississauga and City of Brampton be requested to provide detailed documentation on the road closure procedure for Torbram Road when flood elevations are reaching depths of 0.4m to 0.6m (1.5 to 2 feet) in the underpasses which would preclude private vehicular access;

THAT the City of Mississauga and the City of Brampton be advised that the hydraulic model for Mimico Creek will be updated in the fall of 2005 which may result in new flood levels on Rena Road and may implicate "Safe Access for Emergency Vehicles";

THAT the Toronto and Region Conservation Authority (TRCA) request confirmation from the City of Mississauga and City of Brampton regarding the issue of Safe Access for Emergency Vehicles when the Mimico Creek hydraulic model is updated in the fall of 2005 which will include a plan view showing the Regional Storm Floodplain, and documentation identifying the Regional Storm Flood Elevations;

AND FURTHER THAT the City of Mississauga and City of Brampton be requested to further pursue "Safe Access of Emergency Vehicles" through the CN Halton lands along the southern margin of the rail lines between Torbram Road and Airport Road should safe access not be attainable through Rena Road.

BACKGROUND

Acres International has been retained by the cities of Mississauga and Brampton to undertake the Schedule C-Class Environmental Assessment (EA) and Preliminary Design for the CN (Halton) North and CN (Weston) South Grade Separations on Torbram Road. The overall goal of the project is to improve transportation flow on Torbram Road by minimizing disruptions due to the two existing level grade crossings and to improve safety. The four alternatives that were explored in the EA process were: to do nothing, to construct two overpasses, to construct two underpasses, or to construct a combination one underpass and one overpass. The preferred alternative presented in the draft Environmental Study Report (ESR) is to construct both railway crossings as underpasses. Although the preferred underpass alternative potentially eliminates the safety hazard for traffic related to the existing rail crossings, a new potential flooding hazard has been created with these underpasses. There are two major issues associated with the underpasses: "Public Safety" and "Safe Access for Emergency Vehicles".

Public Safety

These underpasses on Torbram Road between Highway 407 in the north and Derry Road in the south have the potential to be flooded to depths ranging from approximately 4.6 metres (15 feet) to 6 metres (19 feet) under Regional Storm conditions according to the information from Acres International received November 29, 2004. This information also indicates that the pedestrian walkways in the underpasses have the potential to be flooded to depths ranging from approximately 2 metres (6.5 feet) to 3.6 metres (12 feet).

According to the "Technical Guide-River and Stream Systems: Flooding Hazard Limit", depths in excess of 0.98m (3.2 ft) would be sufficient to float young school children and depths of 1.37 m (4.5 ft) is the threshold of stability for teenage children and most adults. These flooding depths pose the potential for the loss of life not only for pedestrians in the underpasses but for private vehicular movement. A depth of 0.4m to 0.6 m 1.5 ft to 2 ft) would be sufficient to reach the distributor or plugs from most private vehicles. Vehicular movement would then be halted. Flood depth in combination with velocity would increase the risk to safety.

Non-compliance with the Provincial Policy Statement

Creating this flooding hazard in the underpasses on Torbram Road contravenes the Provincial Policy Statement-2005 (PPS), Section 1.5.6.1 which states, "Transportation systems should be provided which are safe". The present submission needs modifications in order to seek compliance with the PPS. Based on this present submission, TRCA staff would not be able to support a Fill, Construction, Alteration to Waterways application as required under Ontario Regulation 158, since the underpass proposals conflict with TRCA's Valley and Stream Corridor Management Program - Section 4.3, Ontario Regulation 158, as well as the PPS. The consultant advised TRCA staff that the municipalities are planning on filing the EA document by the end of April 2005. This timeline required TRCA staff to request direction for action from the Authority.

Emergency Plan

Under the Emergency Readiness Act, municipalities are required to formulate Emergency Plans and programs that identify and assess the various risks and hazards to public safety that could give rise to emergencies. To begin to address the issues of Public Safety and Safe Access for Emergency Vehicles, an Emergency Plan for the proposed Torbram Road underpasses needs to be formulated by the cities of Mississauga and Brampton and needs to be provided to TRCA.

Safe Access for Emergency Vehicles

TRCA staff met with the municipality and the consultant in February 2005. TRCA staff requested that a Risk Assessment Report be submitted to TRCA staff for review which would cover the issues relating to Public Safety and Safe Access for Emergency Vehicles. In April 2005, a document was received from Acres International, however the contents were very preliminary and comprised a cover letter from Acres International attached to two municipal reports from the cities of Mississauga and Brampton. The City of Mississauga has agreed to provide further detail and investigation for finalization of the Emergency Plan.

Engineering staff at TRCA supplemented the Acres report and advised that the issue concerning Safe Access for Emergency Vehicles could be addressed. Whereas both CN underpasses on Torbram Road would be impassable due to flooding under a Regional Storm Event, access for emergency vehicles could be attained from the east via Rena Road and Airport Road. TRCA staff reviewed the floodplain mapping and determined that the elevation on Rena Road at the Mimico Creek culvert crossing is 173.3m. Based on the current hydraulic model for the Mimico Creek, the Regional Storm Flood elevation would be 172.9m at this culvert crossing. Therefore, Rena Road will not be overtopped during Regional Storm conditions and Safe Access for Emergency Vehicles to Torbram Road south and north of the proposed underpasses from the east could be attained. The hydraulic model will be updated in the fall of 2005 which may result in new flood levels at this Mimico Creek crossing. Also noted in the Acres International report was a comment by City of Mississauga staff that Safe Access for Emergency Vehicles could potentially be attained through the CN Halton lands in the north, on the south side of the rail line, between Torbram and Airport Road. This potential access needs to be explored further by the consultant should the Mimico Creek flood elevations increase on Rena Road.

Confirmation at Detailed Design Stage

In summary, Acres International has provided preliminary information to address two key issues related to Public Safety and Safe Access for Emergency Vehicles. Safe Access for Emergency Vehicles and Public Safety will need to be confirmed at the detailed design stage in order for TRCA staff to support the permit.

Report prepared by: June Murphy, Plans Analyst, extension 5304

For Information contact: June Murphy, Plans Analyst, extension 5304

Date: April 27, 2005

Attachments: 1

Attachment 1

