



THE TORONTO AND REGION CONSERVATION AUTHORITY

Authority Meeting #10/04

Chair: Dick O'Brien
Vice Chair: Gerri Lynn O'Connor
Members:

**November 26, 2004
10:00 A.M.
SOUTH THEATRE, BLACK CREEK PIONEER VILLAGE**

AGENDA

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1. MINUTES OF MEETING #9/04 Enclosed herewith on White	
2. BUSINESS ARISING FROM THE MINUTES	
3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF	
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6. CORRESPONDENCE	
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7.1 GREENBELT DRAFT PLAN AND GREENBELT ACT, 2004	11-20
7.2 PROPERTY TAXES ON NATURAL HERITAGE (CONSERVATION) LANDS	21-28
7.3 DESIGN FOR THE RESOURCE MANAGEMENT SERVICES WORKSHOP BUILDING, SITE AND INFRASTRUCTURE SERVICES Consultant Selection	29-31
7.4 MANAGEMENT OF DOUBLE-CRESTED CORMORANTS AT TOMMY THOMPSON PARK Ontario Ministry of Natural Resources Environmental Assessment	32-35

**8. CONSIDERATION OF REPORTS OF THE EXECUTIVE COMMITTEE MEETING
#10/04, HELD ON NOVEMBER 5, 2004**

Refer to pages printed on PINK

**9. CONSIDERATION OF REPORTS OF THE BUSINESS EXCELLENCE ADVISORY
BOARD MEETING #6/04, HELD ON NOVEMBER 5, 2004**

Refer to pages printed on YELLOW

10. NEW BUSINESS

NEXT MEETING OF THE AUTHORITY #11/04, TO BE HELD ON JANUARY 7, 2005,
AT 10:00 A.M. IN THE SOUTH THEATRE, BLACK CREEK PIONEER VILLAGE

Brian Denney
Chief Administrative Officer

/ks

**8. CONSIDERATION OF REPORTS OF THE EXECUTIVE COMMITTEE MEETING
#10/04, HELD ON NOVEMBER 5, 2004**

Refer to pages printed on **PINK**

SECTION I - ITEMS FOR AUTHORITY ACTION

- 8.1 NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT
2001-2005**
Flood Plain and Conservation Component, Mimico Creek Watershed
Anjuman-E-Anwarul Islam of Malton
CFN 35884 301-304
- 8.2 NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT
2001-2005**
Flood Plain and Conservation Component, Rouge River Watershed
554056 Ontario Ltd.
CFN 35927 305-307
- 8.3 NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT
2001-2005**
Flood Plain and Conservation Component, Carruthers Creek Watershed
1097467 Ontario Inc. (Olde Park Construction Company Ltd.)
CFN 35453 308-310
- 8.4 ROUGE RIVER WATERSHED HSP-F MODEL UPDATE AND FUTURE
SCENARIOS MODELLING** 311-313

SECTION II - ITEMS FOR EXECUTIVE ACTION

- 8.5 APPLICATIONS FOR PERMITS PURSUANT TO ONTARIO REGULATION 158**
Fill, Construction & Alteration to Waterway.

CITY OF PICKERING

- 8.5.1 BROOKFIELD HOMES (ONTARIO) LIMITED/2016508 ONTARIO
LIMITED**
To construct in a flood plain on Lot 16, Concession 1 Lot 1, Plan 469,
(Kingston Road), in the City of Pickering, Duffins Creek Watershed as
located on the property owned by Brookfield Homes (Ontario)
Limited/2016508 Ontario Limited. 313-314

CITY OF TORONTO (ETOBICOKE YORK COMMUNITY COUNCIL AREA)

8.5.2 SAM GUIDO

To place fill within a regulated area on Lot 264, Plan M-946, (8 Pipestone Place), in the City of Toronto (Etobicoke York Community Council Area), Humber River Watershed as located on the property owned by Sam Guido. 315-316

CITY OF TORONTO (NORTH YORK COMMUNITY COUNCIL AREA)

8.5.3 CITY OF TORONTO

To alter a waterway on East Half Lot 22, Concession 2 EYS, in the City of Toronto (North York Community Council Area), Don River Watershed as located on the property owned by City of Toronto. 316-317

8.5.4 HARRY AND CORI DONENFELD

To construct in a flood plain on Lot 14, Plan 2478, (25 Plymbridge Crescent), in the City of Toronto (North York Community Council Area), Don River Watershed as located on the property owned by Harry and Cori Donenfeld. 317-318

8.5.5 ONTARIO SCIENCE CENTRE

To place fill within a regulated area on Lot 9, 10, Concession 3 Part 4, 6 Lot 1, Plan RS-882, (770 Don Mills Road), in the City of Toronto (North York Community Council Area), Don River Watershed as located on the property owned by Ontario Science Centre. 319-320

CITY OF VAUGHAN

8.5.6 250623 PROPERTY LTD. C/O RICE DEVELOPMENT CO. LTD.

To alter a waterway on Lot 6, Concession 7, (4650 Highway #7), in the City of Vaughan, Humber River Watershed as located on the property owned by 250623 Property Ltd.. 320-321

8.5.7 EDEN OAK HOMES (IVORY HOMES INC.)

To place fill within a regulated area on Lot 7, Concession 7, (20 Wallace Street), in the City of Vaughan, Humber River Watershed as located on the property owned by Eden Oak Homes (Ivory Homes Inc.). 321-322

8.5.8 GINO VARONE

To place fill within a regulated area on Lot 11, Concession 7; Lot 74, Plan M-1701, (30 Foreview Court), in the City of Vaughan, Humber River Watershed as located on the property owned by Gino Varone. 322-323

TOWN OF MARKHAM

8.5.9 SHERRY PICKETT & OWEN SYMINGTON

To place fill within a regulated area on Lot 1, Plan 65M-3495, (23 Circle Court), in the Town of Markham, Don River Watershed as located on the property owned by Sherry Pickett & Owen Symington. 324-325

8.5.10 J.R. AND ILONA SMITH

To construct in a flood plain on Lot 152, Plan 7566, (49 Fonthill Boulevard), in the Town of Markham, Rouge River Watershed as located on the property owned by J.R. and Ilona Smith. 325-326

TOWN OF RICHMOND HILL

8.5.11 SEAN ASSARI

To alter a waterway, place fill within a regulated area on Part Lot 65, Concession 1, (638 Sunset Beach Road), in the Town of Richmond Hill, Humber River Watershed as located on the property owned by Sean Assari. 326-327

8.5.12 ANTHONY GOODHOOFD

To place fill within a regulated area on Lot 17, Plan 4908, (337 Sugar Maple Lane), in the Town of Richmond Hill, Don River Watershed as located on the property owned by Anthony Goodhoofd. 328-329

8.5.13 TRI-RIDGE HOLDINGS INC.

To place fill within a regulated area on Lot 1, 2, 3, Plan 65M-2921, (12, 14, 16 Magistrale Court), in the Town of Richmond Hill, Don River Watershed as located on the property owned by Tri-Ridge Holdings Inc.. 329-330

THE FOLLOWING PERMIT APPLICATIONS WERE ERRATA ITEMS:

8.5.14 1359443 ONTARIO LIMITED

To place fill within a regulated area on Part Lot 5, Concession 9, (4299 Queen Street East), in the City of Brampton, Humber River Watershed as located on the property owned by 1359443 Ontario Limited. 330-332

8.5.15 1520981 ONTARIO LTD.

To alter a waterway, construct in a flood plain on Lot 14, Concession 2 EHS, (150 Westcreek Boulevard), in the City of Brampton, Etobicoke Creek Watershed as located on the property owned by 1520981 Ontario Ltd. 332-333

8.5.16 CASA-NORTH INVESTMENTS INC.

To construct in a flood plain, place fill within a regulated area on Lot 13, Concession 6, (Mountainash Road Crossing of H2 Watercourse), in the City of Brampton, Humber River Watershed as located on the property owned by Casa-North Investments Inc. 333-335

8.5.17 DOLOMITI ESTATES INC.
To place fill within a regulated area on Lot 7, Concession 10 , in the City of Brampton, Humber River Watershed as located on the property owned by Dolomiti Estates Inc. 335-336

8.5.18 NANAK HOLDINGS LTD.
To place fill within a regulated area at 7405 Goreway Drive, in the City of Brampton, Mimico Creek Watershed as located on the property owned by Nanak Holdings Ltd.. 336-337

CITY OF MISSISSAUGA

8.5.19 CITY OF MISSISSAUGA
To alter a waterway, construct in a flood plain, place fill within a regulated area on the Etobicoke Creek, east of Palisades Lane (upstream of Rathburn Road) in the City of Mississauga, Etobicoke Creek Watershed as located on the property owned by City of Mississauga. 337-339

8.5.20 CITY OF MISSISSAUGA
To alter a waterway on Lancaster Avenue in the City of Mississauga, Mimico Creek Watershed as located on the property owned by City of Mississauga. 339-340

CITY OF PICKERING

8.5.21 WHITEVALE GOLF CLUB
To place fill within a regulated area on Lot 29, 30, Concession 4, (2985 Golf Club Road), in the City of Pickering, Duffins Creek Watershed as located on the property owned by Whitevale Golf Club. 341-342

CITY OF TORONTO (TORONTO AND EAST YORK COMMUNITY COUNCIL AREA)

8.5.22 LYNN GROGAN
To place fill within a regulated area on Lot 2, Plan 358E, (8 Beaumont Road), in the City of Toronto (Toronto and East York Community Council Area), Don River Watershed as located on the property owned by Lynn Grogan. 342-343

CITY OF VAUGHAN

8.5.23 MARIANNE LEO & JILL MEDLEY
To place fill within a regulated area on Part Lot 24, Concession 8; Lot 48, 49, Plan 275, (77 Napier Street), in the City of Vaughan, Humber River Watershed as located on the property owned by Marianne Leo & Jill Medley. 344-345

TOWN OF AJAX

- 8.5.24 BALLYMORE DEVELOPMENT (SHOAL POINT) CORP.**
To construct in a flood plain on Part Lot 4, Concession RANGE 3 BFC, (Shoal Point Road), in the Town of Ajax, Carruthers Creek Watershed as located on the property owned by Ballymore Development (Shoal Point) Corp. 345-347

TOWN OF MARKHAM

- 8.5.25 CORNELL ROUGE DEVELOPMENT CORPORATION**
To alter a waterway on Lot 11, 12, 13, Concession 9, in the Town of Markham, Rouge River Watershed as located on the property owned by Cornell Rouge Development Corporation. 347-348

TOWN OF RICHMOND HILL

- 8.5.26 ROGERS CABLE INC.**
To construct in a flood plain on Lot 19, Plan 4840, (264 Newkirk Road), in the Town of Richmond Hill, Don River Watershed as located on the property owned by Rogers Cable Inc. 348-350

TOWN OF RICHMOND HILL

- 8.5.27 TOWN OF RICHMOND HILL**
To alter a waterway, construct in a flood plain, place fill within a regulated area on Lot 38, Concession 1 WYS, (South East of Bathurst Street and Birch Avenue), in the Town of Richmond Hill, Don River Watershed as located on the property owned by Town of Richmond Hill. 350-351

THE FOLLOWING PERMIT APPLICATIONS WERE MINOR WORKS ITEMS

TOWN OF CALEDON

- 8.5.28 CLAUDIO AND ANNA FERRANTI**
To place fill within a regulated area on Lot 96, Block 1, Plan BOL-7, (140 Victoria Street), in the Town of Caledon, Humber River Watershed as located on the property owned by Claudio and Anna Ferranti. 352
- 8.5.29 DAN PETTELLA**
To place fill within a regulated area on Lot 30, Plan 43M-1134, (13 Sunkist Valley Road), in the Town of Caledon, Humber River Watershed as located on the property owned by Dan Pettella. 352

CITY OF TORONTO (SCARBOROUGH COMMUNITY COUNCIL AREA)

8.5.30 DAVID AND WANDA MCPAKE

To place fill within a regulated area on Lot 21, Plan M-1841, (32 Stonemanse Court), in the City of Toronto (Scarborough Community Council Area), Highland Creek Watershed as located on the property owned by David and Wanda McPake. 352

8.5.31 TIMOTHY WEBSTER

To place fill within a regulated area on Lot 148, 149, Plan M-440, Part Lot 146, Plan, (5 Meadowcliffe Drive), in the City of Toronto (Scarborough Community Council Area), Waterfront watershed as located on the property owned by Timothy Webster. 352

CITY OF TORONTO (TORONTO EAST YORK COMMUNITY COUNCIL AREA)

8.5.32 PATRICIA LANGLEY

To place fill within a regulated area on Lot 12, Plan 66M-2472 , (26 True Davidson Drive), in the City of Toronto (Toronto and East York Community Council Area), Don River Watershed as located on the property owned by Patricia Langley. 353

CITY OF VAUGHAN

8.5.33 MAURO TONIETTO

To place fill within a regulated area on Lot 7, Plan 65M-2863, (276 Westridge Drive), in the City of Vaughan, Humber River Watershed as located on the property owned by Mauro Tonietto. 353

TOWN OF MARKHAM

8.5.34 VALERY TARASSOV AND LADA TARASSOVA

To place fill within a regulated area on Lot 15, Concession 5 Lot 55, Plan 65M-2256, (33 Millstone Court), in the Town of Markham, Rouge River Watershed as located on the property owned by Valery Tarassov and Lada Tarassova. 353

CITY OF BRAMPTON

8.5.35 REGION OF PEEL

To construct in a flood plain, place fill within a regulated area on Ebenezer Road (west of McVean Drive) in the City of Brampton, Humber River Watershed as located on the property owned by Region of Peel. 353-355

CITY OF TORONTO (ETOBICOKE YORK COMMUNITY COUNCIL AREA)

8.5.36 CITY OF TORONTO - WORKS & EMERGENCY SERVICES

To alter a waterway on (VanDusen Boulevard), in the City of Toronto (Etobicoke York Community Council Area), Mimico Creek Watershed as located on the property owned by City of Toronto - Works & Emergency Services. 355-356

CITY OF VAUGHAN

8.5.37 REGIONAL MUNICIPALITY OF YORK

To alter a waterway on Lot 12, Concession 7, (Emergency Overflow into a culvert on Pine Valley Drive, north of Langstaff Road), in the City of Vaughan, Humber River Watershed as located on the property owned by Regional Municipality of York. 356-359

8.6 APPOINTMENT OF ENFORCEMENT OFFICERS

Lisa Prime and Quentin Hanchard 359-360

8.7 REQUEST FOR DISPOSAL OF TRCA-OWNED LAND

Adjacent to 3 Broadmead Avenue
CFN 34117 360-362

8.8 REQUEST FOR DISPOSAL OF TRCA-OWNED LAND

Adjacent to 5 Eldorado Court
CFN 34115 363-365

8.9 REQUEST FOR DISPOSAL OF TRCA-OWNED LAND

Adjacent to 2 Pineway Boulevard
CFN 34118 366-368

8.10 ETOBICOKE-MIMICO CREEK WATERSHEDS LAND USE STUDY IN SUPPORT OF THE 2005 WATERSHED REPORT CARD

369-370

8.11 ACQUISITION OF VEHICLES

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8.12 REQUEST FOR PERSONAL LEAVE OF ABSENCE

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8.13 ACCOUNTS RECEIVABLE STATUS REPORT

October 25, 2004 373-375

9. CONSIDERATION OF REPORTS OF THE BUSINESS EXCELLENCE ADVISORY BOARD MEETING #6/04, HELD ON NOVEMBER 5, 2004

Refer to pages printed on **YELLOW**

SECTION I - ITEMS FOR AUTHORITY ACTION

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Increasing Value of Umbrella Liability Coverage | 147-148 |
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| 9.3 | CONFIDENTIAL ITEM | Enclosed in envelope |
| 9.4 | CONFIDENTIAL ITEM | Enclosed in envelope |

SECTION II - ITEMS FOR EXECUTIVE ACTION

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| 9.5 | ACCOUNTS RECEIVABLE STATUS REPORT
October 25, 2004 | 151-154 |
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TO: Chair and Members of the Authority
Meeting #10/04, November 26, 2004

FROM: Adele Freeman, Acting Director, Watershed Management Division

RE: **GREENBELT DRAFT PLAN AND GREENBELT ACT, 2004**

KEY ISSUE

Providing comments to the Ministry of Municipal Affairs and Housing on the Greenbelt Draft Plan and the draft Greenbelt Act.

RECOMMENDATION

WHEREAS the Greenbelt Draft Plan is based on a broad, regional systems approach to natural heritage protection, is proposed as a provincially legislated plan that knits together the Niagara Escarpment Plan, the Oak Ridges Moraine Conservation Plan and new areas called "Protected Countryside", lays the foundation for source water protection and provides additional protection for headwater areas and portions of the major river valleys outside of the current urban boundaries within TRCA watersheds;

THEREFORE LET IT BE RESOLVED THAT the Toronto and Region Conservation Authority (TRCA) advise the Minister of Municipal Affairs and Housing that TRCA strongly supports the general directions of the Greenbelt Draft Plan;

THAT the Greenbelt Draft Plan be amended to include transitional policies, especially as they relate to the North Leslie and Rouge Park lands which are currently before the Ontario Municipal Board (OMB);

THAT the conformity Official Plan Amendments (OPA) be approved by the Minister and not be subject to appeal at the OMB;

THAT the Minister make a regulation requiring municipalities to pass by-laws to regulate tree cutting and site alteration within the Greenbelt Plan area;

THAT the Greenbelt Draft Plan and Growth Plan provide strong direction to municipalities regarding the importance of protecting local natural heritage systems in order to support and maintain the ecological integrity of the provincial-scale natural heritage system protected through the Greenbelt Draft Plan, especially for the prime agricultural lands south of the Oak Ridges Moraine (ORM) which have not been included in the Greenbelt Plan area;

THAT the concept of enhancement or net environmental gain should be incorporated as a requirement for all development permitted within the Greenbelt Plan area, in particular for infrastructure;

THAT staff be directed to continue meeting with our municipal partners and provincial greenbelt staff to assess site specific implications of the Greenbelt Draft Plan;

THAT staff be directed to prepare additional detailed comments, based on the further consultation with municipal and provincial staff and Authority members, for submission to the province by the December 12, 2004 commenting deadline on issues such as:

- **providing clarity and consistency in the terminology used in the Greenbelt Draft Plan;**
- **review detailed mapping and the policy implications to planning and development review;**
- **review consistencies and conflicts with the Growth Plan for the Greater Golden Horseshoe; and,**
- **discussions on whether specific conservation areas, such as Boyd Conservation Area, should be included as integral comments of the Greenbelt Natural Heritage System and the implications of the plan on the viability of recreational opportunities;**

AND FURTHER THAT this report and the additional detailed comments be will be tabled at the December 3, 2004 Executive Committee meeting and will be circulated for information to TRCA's municipal partners, Conservation Ontario, the members of the Conservation Authorities Moraine Coalition and MPPs within TRCA watersheds.

BACKGROUND

The Province of Ontario released for public consultation on October 28, 2004 the draft Greenbelt Act (Bill 135) and the Greenbelt Draft Plan. These documents were based, in part, on the recommendations of the provincially appointed Greenbelt Task Force which submitted their report to the province in late summer. TRCA staff reviewed the initial Greenbelt Task Force Discussion Paper and prepared a report for meeting #6/04 of the Executive Committee. A number of the recommendations approved by the Executive Committee are being addressed or have been incorporated into the Greenbelt Draft Plan, such as:

- the inclusion and protection of significant groundwater resources;
- the release of the draft Growth Plan for the Greater Golden Horseshoe;
- a review of the environmental assessment process;
- the inclusion of the Humber River and associated lands from the Kortright Centre for Conservation north to the boundary of the ORM;
- implementation of the Greenbelt Draft Plan through legislation; and,
- that TRCA staff be given the opportunity to make a presentation on the Terrestrial Natural Heritage System Strategy (TNHSS) to provincial staff leading the greenbelt process.

Similarly, a number of recommendations approved by the Executive Committee have not been addressed by the Greenbelt Draft Plan. The two most significant recommendations not addressed include the recommendation to use the TNHSS "Target System" as the environmental protection layer of the greenbelt (within TRCA watersheds) and to include financial tools and incentives for environmental protection, similar to what was proposed by the task force for sustaining and supporting near-urban agricultural lands.

SUMMARY OF THE GREENBELT DRAFT PLAN

The Greenbelt Plan area includes the entire land base captured in both the Oak Ridges Moraine Conservation Plan (ORMCP) and the Niagara Escarpment Plan. The policies of those two plans continue to govern land use planning within their respective jurisdictions. Substantial additional new lands have been incorporated into the Greenbelt Plan area through a designation called "Protected Countryside". The vast majority of lands in the Protected Countryside are outside of TRCA watersheds and include most of York and Durham Regions north of the ORM, east Durham Region south of the ORM and lands above and west of the Niagara Escarpment. Significantly large portions of land within TRCA watersheds south of the ORM and north of the existing designated urban envelope have been excluded from the greenbelt and are assumed available for potential future (urban) development. These lands include: the upper reaches of Etobicoke Creek in northwest Brampton; the upper reaches of the West Humber River tributaries in Caledon; the northern portion of Vaughan east and west of Highway 400 in the East Humber and Don River watersheds; north Markham in the Rouge River watershed; and, lands in north Pickering which include the Transport Canada lands within the Duffins Creek watershed (Attachment 1).

The Greenbelt Draft Plan provides a new policy framework for the Protected Countryside lands, with the framework and policies summarized in Attachment 3. The Protected Countryside is comprised of three systems, each with their own geographic-specific subset of policies and sub-designations: the Agricultural System, the Natural System and Settlement Areas. Parkland, Open Space and Trails policies apply throughout the entire Greenbelt Plan area. In addition, there are other general policies that apply throughout the Greenbelt Plan area in relation to defined uses including: infrastructure, natural resources (primarily aggregate resources), existing uses, lot creation and non-agricultural rural uses. A few of the more significant policies include: a prohibition on new multiple permanent dwellings such as estate residential developments in the Rural Areas of the Agricultural System; a prohibition on development within Key Natural Heritage and Key Hydrological Features, provided those features fall within the Natural Heritage System; and, the provision of a 60 m buffer on either side of the identified major river valleys for those portions of the valleys that connect from the greenbelt south to the existing urban areas.

TRCA STAFF ANALYSIS AND COMMENTS ON BILL 135 AND THE GREENBELT DRAFT PLAN

TRCA staff support the draft plan for its "big picture" approach to environmental planning based on a broad, regional systems approach to natural heritage protection. Staff further support the integration of the ORM and Niagara Escarpment lands within the Greenbelt Draft Plan, while maintaining the existing policy regime governing those lands and adding a new policy framework for the additional lands designated as Protected Countryside in the Greenbelt Draft Plan. Staff are also supportive of the 60 m buffers being proposed for the identified major river valleys which connect from the current urban boundary north to the ORM or greenbelt. In particular, the Greenbelt Draft Plan protects additional headwaters in both the Etobicoke Creek and Humber River watersheds plus the main river valley(s) and main branch tributaries through central Caledon and north Vaughan. In the Duffins watershed, undeveloped portions of the former Lake Iroquois shoreline have been protected in the Greenbelt Draft Plan. Terrestrial linkages through the Seaton lands (not included in Greenbelt Draft Plan) from the Lake Iroquois shoreline to the greenbelt lands protected in the Rouge River watershed provide a significant connectivity function, for both terrestrial habitat and trails opportunities. The Greenbelt Draft Plan within the Rouge River watershed includes a broad north-south connection from the ORM to the waterfront, incorporates an element of the Little Rouge corridor and takes advantage of

public lands by including the Agricultural Reserve and portions of the federal airport lands. A small portion of the upper West Don main river valley has also been included in the Greenbelt Draft Plan.

Although staff are generally supportive of the Greenbelt Draft Plan, there are numerous issues which need to be clarified or strengthened. All issues identified to date will be summarized generally below. However, some specific issues that are either too detailed (i.e. specific wording changes) or require further detailed investigation of mapping (available soon from the province) will be addressed in a follow-up letter to the province by the commenting deadline of December 12, 2004. Additionally, staff will identify potential future opportunities arising from the Greenbelt Draft Plan, as well as expected costs and staff resourcing issues associated with implementation of the plan (eg. watershed studies and field verification of natural systems, hydrologic features and hazard lands).

Bill 135, the draft Greenbelt Act, is the enabling legislation for the Greenbelt Draft Plan. Section 6 defines the contents that may be included in the plan and includes a provision for policies for "transitional matters", applicable to planning applications that were submitted prior to the greenbelt moratorium but not yet approved. TRCA (and our municipal partners) are involved in two OMB hearings, North Leslie lands in Richmond Hill and Rouge Park lands in Markham, which would benefit from the clarity that transitional policies could provide and possibly lead to closure on those potentially lengthy and costly OMB hearings. Such policies were included in the ORMCP. The current direction in the Greenbelt Draft Plan that municipalities "must consider" specific plans such as the Rouge North Management Plan is weak and provides no added value to help resolve the ongoing OMB hearing. Staff recommends that the Greenbelt Draft Plan be amended to include transitional policies, especially as they relate to the North Leslie and Rouge Park lands.

Section 9 of Bill 135 requires that, similar to the ORMCP, municipalities amend their official plans to be in conformity with the Greenbelt Draft Plan no later than at the next five year review of the municipalities' official plan. The conformity OPA would be subject to appeals to the OMB, potentially resulting in further delays and significant costs to both municipalities and conservation authorities in defending the OPA. Staff recommend that the OPA be approved by the Minister within a reasonable timeframe and not subject to appeal at the OMB.

Section 23 of Bill 135 permits the Minister to make a regulation requiring municipalities to pass by-laws to regulate site alteration and tree cutting within the plan area. These are necessary to ensure the protection of environmental features and functions on lands where development is taking place but no Planning Act approvals are required, such as where only a building permit is required or site grading or woodlot clearing is taking place. Staff recommend that the Minister make regulations requiring municipalities to pass by-laws to regulate tree cutting and site alteration within the Greenbelt Plan area.

One of the key aspects of the Greenbelt Draft Plan is the ambiguity surrounding the lands in the Greater Toronto Area (GTA) which are immediately north of the existing designated urban envelope but south of the ORM and not included in the Greenbelt Plan area. Much of these lands are designated "Prime Agricultural Area" in regional and local official plans, which is one of the criteria for inclusion within the Greenbelt Draft Plan, however, these lands have not been included. Staff make the assumption that these lands will be available for future urban development, which raises a number of issues that need to be clarified:

- Is this assumption correct?
- If so, how will the addition of some 70,000 ha of additional developable greenfield lands within the GTA contribute to achieving the provincial goals, as recently enunciated in the draft PPS and Greater Golden Horseshoe Growth Plan, of intensification, reducing sprawl and increasing the effectiveness of public transit; and,
- Within TRCA watersheds, what are the implications for the TNHSS if the local natural heritage systems, which are critical to the long term viability of the provincial scale systems protected through the Greenbelt Draft Plan, are left unprotected?

Further, Schedule 4 - Natural Heritage System as outlined in Attachment 2, identifies a natural heritage system both within the Greenbelt Plan area and outside the plan area. However, outside the plan area, the natural heritage system is only shown for lands outside the GTA. This leaves the impression that there is no natural heritage system within the GTA (other than the identified main river valleys) and that none needs to be provided for should the ambiguous prime agricultural lands be slated for future urban development. Staff recommend that additional detail and clarity be provided for the long term use of the prime agricultural lands south of the ORM which have not been included in the Greenbelt Plan area, and that if their future use is to be for urban development, that the Greenbelt Draft Plan and Growth Plan provide strong direction to municipalities regarding the importance of protecting local natural heritage systems in order to support and maintain the ecological integrity of the provincial-scale natural heritage system protected through the Greenbelt Draft Plan.

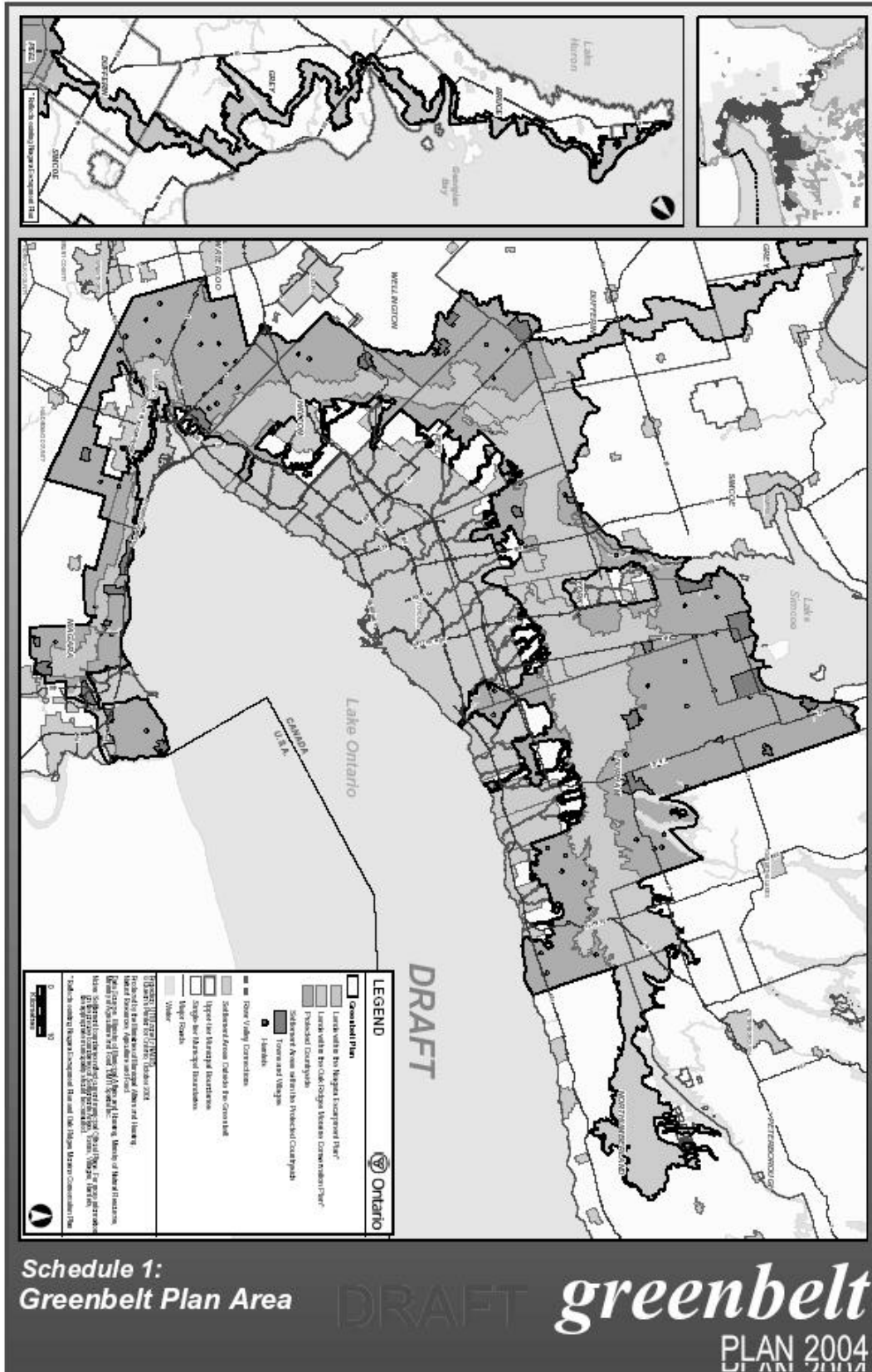
The first objective of the Environmental Protection goal of the Greenbelt Draft Plan is to protect, maintain, and where possible, enhance environmental features and functions. Staff feel that this relegates "enhance" to an afterthought and needs to be strengthened. This philosophy is most evident in the policies for Infrastructure which only emphasize the minimization of negative impacts. The premise of the Terrestrial Natural Heritage System Strategy is that there is an unsustainably low level of natural heritage remaining in TRCA watersheds and that we need to increase natural heritage from 17% to 30% for the entire jurisdiction. Staff therefore recommend that the concept of enhancement or net environmental gain should be incorporated as a requirement for all development permitted within the Greenbelt Plan area, in particular for infrastructure. Co-ordination of the environmental assessment and land-use planning process and infrastructure planning must be ensured to appropriately protect and enhance local and provincial natural and water resource systems.

The Greenbelt Draft Plan itself could benefit from additional clarity and consistency in the definitions and wording used in the plan. For instance, new terminology is introduced that only slightly deviates from terminology used in the ORMCP with respect to vulnerable/sensitive aquifers. Other words are not defined in the glossary but rather the reader is referred to a separate document (the Provincial Policy Statement - PPS) for the definition. References to what TRCA staff believe to mean "stable top of bank" are characterized as "valley wall", or other ambiguous term. TRCA recommends that the Greenbelt Draft Plan be amended with a view to providing clarity and consistency in the terminology used. Further detail to follow with a complete list.

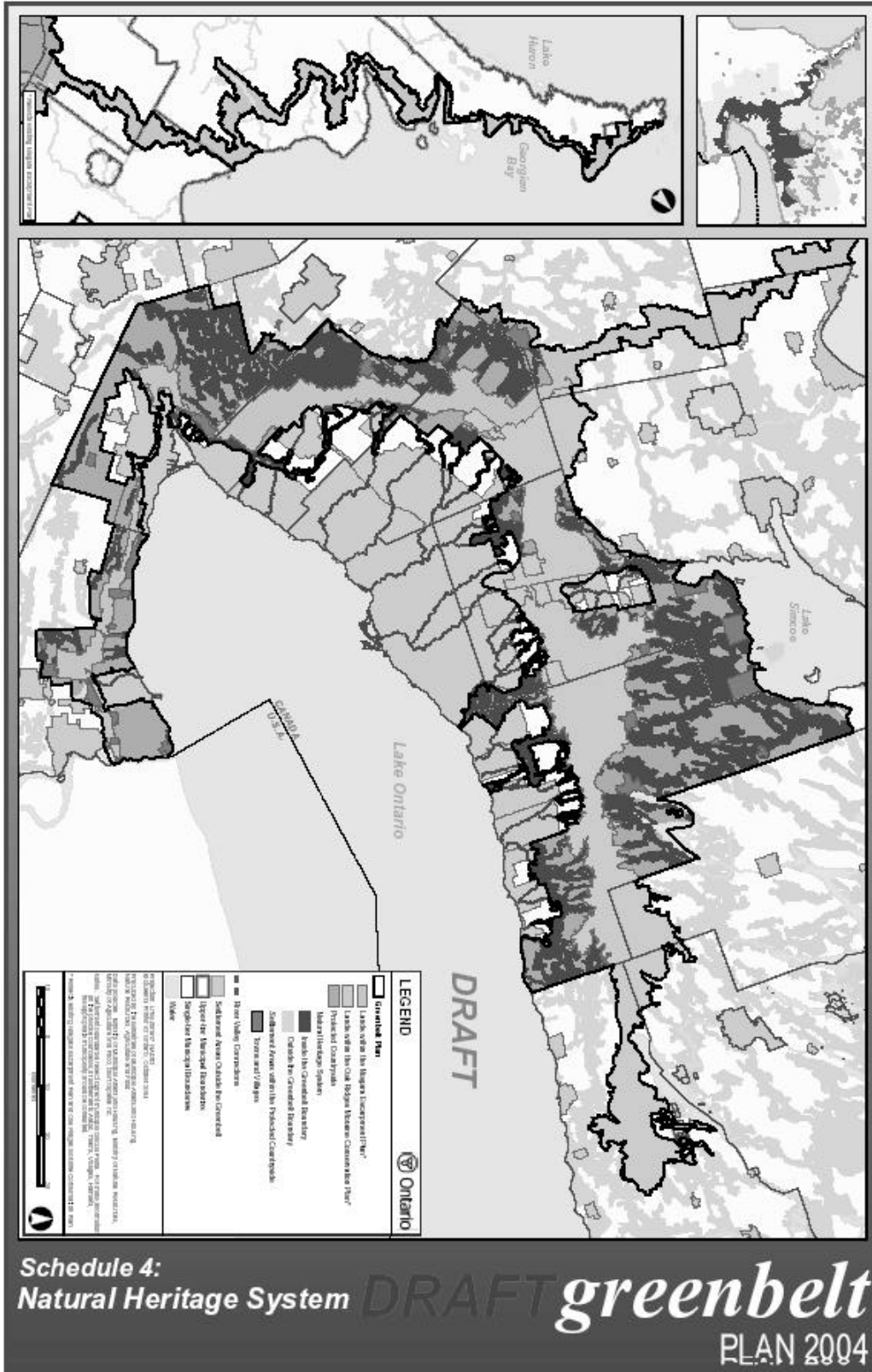
Additionally, the mapping provided with the plan is at a regional scale and inadequate to determine how the plan may affect specific pieces of land. Staff understand that detailed digital mapping will soon be provided to agencies for their review. TRCA will be meeting with the province at the end of November, 2004 to review the detailed mapping and the policy implications to planning and development review. Staff have been meeting with, and continue to meet with, our municipal partners and attend at provincial stakeholder sessions to better understand the Greenbelt Draft Plan and assess its implications to local planning issues. Staff recommend that once this review has been completed, a further detailed letter be submitted to the province outlining any concerns or further recommendations.

Report prepared by: David Burnett, extension 5361
For Information contact: David Burnett, extension 5361
Date: November 15, 2004
Attachments: 3

Attachment 1



Attachment 2



Attachment 3

GREENBELT KEY POLICY SUMMARY

GREENBELT PLAN DESIGNATIONS	GOVERNING POLICIES	GREENBELT PLAN SUBDESIGNATIONS	SUMMARY OF MAIN POLICIES
ORM	ORM Conservation Plan	N/A	as in ORMCP
NE	Niagara Escarpment Plan	N/A	as in NEP
PROTECTED COUNTRYSIDE	PROTECTED COUNTRYSIDE GEOGRAPHIC-SPECIFIC POLICY AREAS	3.1 AGRICULTURAL SYSTEM	
		- Specialty Crop	- None in TRCA jurisdiction.
		- Prime Agricultural	- No non-agricultural uses; No re-designations. - Allows full range of normal farm practices,
		- Rural Areas	- Allows agriculture, tourism, recreational & resource-based indust/commercial uses as i.e. No estate residential, adult lifestyle communities.
		3.2 NATURAL SYSTEM	
		- Natural Heritage System	- Existing agricultural and related uses & normal - New agricultural buildings permitted outside of - Other development (as permitted in rural areas - Encouragement to link to external NH Systems
		- Water Resource System	- Municipalities "expected" to complete - Municipalities to protect wellheads & sensitive incompatible land uses.
		- Key NH and Hydrologic Features	- Protected features generally match those in - Development within 120m to identify - NH Features outside NH System of Green Belt - Existing structures may expand into features - New agricultural buildings NOT permitted existing urban boundary.
		3.3 PARKLAND, OPEN SPACE & TRAILS	- Encouragement to develop publicly accessible - Policies apply throughout entire Green Belt
		3.4 SETTLEMENT AREAS	
		- Towns and Villages & Hamlets and Shorelines	- Range of uses permitted and boundaries are - No new Great Lake-based servicing of - Expansion of T&V possible at 10 yr. review if - Infill and minor rounding out of Hamlets is expand into Plan Area.

GREENBELT PLAN DESIGNATIONS	GOVERNING POLICIES	GREENBELT PLAN SUBDESIGNATIONS	SUMMARY OF MAIN POLICIES
PROTECTED COUNTRYSIDE	PROTECTED COUNTRYSIDE GENERAL POLICIES	4.1 Non-Agricultural uses	<ul style="list-style-type: none"> - Not permitted in Specialty Crop or Prime Agricultural Lands. - Permitted in Rural Areas only when not impacting on features and functions; servicing - Recreation and Tourism uses must be - No associated residential dwellings will be
		4.2 Infrastructure	<ul style="list-style-type: none"> - Permitted where it supports existing growth outside of it. - Must avoid environmentally sensitive areas,
		4.3 Natural Resources	<ul style="list-style-type: none"> - Renewable resource uses (eg. forestry) - Non-renewable (eg. aggregates) not permitted in some features, and must demonstrate no on water resources or natural system linkages. - Higher standard for rehab. than under PPS.
		4.5 Existing Uses	<ul style="list-style-type: none"> - All lawfully existing uses, including single - Expansions to existing buildings and accessory is required and best efforts to avoid
		4.6 Lot Creation	<ul style="list-style-type: none"> - Permitted for uses allowed by the Plan, for adjustments with no fragmentation of features. - In Specialty Crop and Prime Agricultural uses or surplus farm dwellings, subject to
	5. IMPLEMENTATION	- Municipal Implementation	<ul style="list-style-type: none"> - All land use decisions are required to conform - Municipalities are required to implement the - Except for agricultural and aggregate uses, - Unless specifically addressed by GB Plan, existing Provincial legislation and municipal
		- Boundary of the Plan	<ul style="list-style-type: none"> - Outer boundary proposed to be established by - For major river valleys connecting to Lake lands and/or valley wall.
		- Plan Review	<ul style="list-style-type: none"> - To be done every 10 years, coordinated with - Expansion to Towns and Villages may only be
		- Plan Amendments	<ul style="list-style-type: none"> - Only proposed by the Minister and are subject - Can not reduce the total land area of the Plan. significant new provincial direction
		- Advisory Council	<ul style="list-style-type: none"> - Province may establish a council with an evolving mandate to coordinate multi-jurisdictional issues (eg. Trails), give input to 10 year review and performance measures of Plan.

TO: Chair and Members of the Authority
Meeting #10/04, November 26, 2004

FROM: James W. Dillane, Director, Finance and Business Development

RE: PROPERTY TAXES ON NATURAL HERITAGE (CONSERVATION) LANDS

KEY ISSUE

In 2004 the City of Toronto approved a resolution asking for a change in the way Toronto and Region Conservation Authority deals with property taxes on its natural heritage lands.

RECOMMENDATION

THAT the Minister of Finance be advised that Toronto and Region Conservation Authority (TRCA) strongly supports the proposal in the 2004 Ontario Budget for amendment of the Assessment Act such that there is additional criteria for realty tax exemption to the Conservation Lands classification, and urges the Minister to implement this change in time for the 2005 taxation year;

THAT the cost of property taxes on natural heritage (conservation) lands included in the 2005 TRCA budget be apportioned on the basis of modified current value assessment (CVA);

THAT TRCA's municipal funding partners be so advised and urged to advise the Ontario Minister of Finance of their support for the proposed amendment to the Assessment Act to achieve the Conservation Lands property tax exemption;

AND FURTHER THAT Conservation Ontario be so advised and requested to continue their efforts to secure the Assessment Act amendment to achieve the Conservation Lands property tax exemption for 2005.

BACKGROUND

In considering the 2004 budget request from TRCA, the City of Toronto Budget Advisory Committee expressed concern about the fact that TRCA was paying property taxes on natural heritage lands outside the city and that the city shared in the costs of those taxes. Under the City of Toronto Act, the city exempts from taxation park lands owned by TRCA and managed by the city. In the Regions of Peel, York and Durham and the Town of Mono and the Township of Adjala Tosorontio, TRCA pays property taxes on all of its natural heritage lands, except those under management agreement.

The classification under the Assessment Act refers to "Conservation Lands" but the property taxes of concern include all natural heritage lands. Therefore some lands in TRCA ownership may still be subject to taxes should the amendment to the Assessment Act be approved.

TRCA pays property taxes on revenue producing properties including education field centres, Kortright and conservation areas for which entrance fees are charged. TRCA has charged back the cost of the taxes to the participating municipality in which the revenue producing property exists. This adjustment to the levy is referred to as the "tax adjustment" and in 2005 amounts to \$111,200 as noted in Attachment 1. Taxes on rental properties are recovered through the rents.

The issue at hand concerns taxes on natural heritage lands outside of the city. TRCA owns over 38,000 acres of land so the volume of natural heritage lands being taxed leads to significant costs. TRCA has implemented a vigorous program of tax appeals which has significantly reduced the cost of property taxes in this category. In 2005, the estimated cost is \$356,800 which would normally be shared among the participating municipalities on the basis of modified current value assessment. The City of Toronto requested that the regions exempt these lands from taxation as the city does. Failing that, the city requested that it not pay any share of the costs of these taxes.

The regional treasurers were advised of this request. The Regions of Durham and Peel do not have the legislative authority to grant an exemption. York Region has this authority. All three advised that this would require agreement of the affected local municipalities and they did not believe that such approval would be easily obtained. For example, in the case of the Region of York, the regional forests are taxed by the local municipalities.

Conservation Ontario has been seeking to add criteria to the Conservation Lands exemption on a province wide basis for some time. In the 2004 provincial budget, the Minister of Finance/Treasurer announced plans to amend the Assessment Act to achieve the Conservation Lands exemption:

The government intends to enhance the eligibility criteria for the conservation land property tax exemption program for lands with natural and environmental significance owned by conservation authorities.... These changes will be implemented through regulation for the 2005 taxation year.

The inclusion of additional categories of land in this program will increase the ability of Ontario's conservation authorities....to preserve lands with natural and environmental significance... .

To date, the regulatory change required has not happened and Conservation Ontario continues to seek action on this issue.

As part of the 2004 TRCA budget approval, staff advised the members that this issue had arisen. Staff recommended in the 2004 budget that the city pay its share of the property taxes as in past years and staff committed to seek a solution to the exemption issue for 2005. It was hoped the province would provide the exemption and indeed this was announced in the provincial budget in May of 2004. The Authority approved the TRCA budget unanimously in April, including use of the modified current value assessment formula to allocate the costs of property taxes on natural heritage (conservation) lands outside the City of Toronto.

RATIONALE

At meeting #9/04, held on October 29, 2004, the Authority considered the 2005 Preliminary Estimates, Operating and Capital, and adopted Resolution A286/04 as follows:

THAT the 2005 Preliminary Estimates, Operating and Capital, be approved for circulation and discussion with the Toronto and Region Conservation Authority's (TRCA) funding partners, subject to consideration of the property tax summary report to the Authority in November, 2004 and any recommendations by the Authority at that time;

THAT staff and the Chair of the Business Excellence Advisory Board, as necessary, be directed to meet with TRCA's municipal and funding partners to present the estimates and provide any information the funding partners may require;

THAT the staffing analysis of FTE's be included as a schedule within the budget estimates;

AND FURTHER THAT the capital budget request for regional open space land acquisition to the City of Toronto be increased to \$2 million.

The key issue is the request by the City of Toronto to have TRCA reconsider its approach to the apportionment of property taxes on natural heritage (conservation) lands. Attachment 1 illustrates TRCA land ownership by participating municipality and taxes paid.

Attachment 2 describes the apportionment of the 2005 proposed municipal levy as it would be if the apportionment method was unchanged from 2004. This applies the 2005 Modified CVA and the recommended 6% increase in the municipal levy.

Attachment 3 describes the apportionment of the 2005 proposed municipal levy as it would be if the property taxes on natural heritage (conservation) lands were apportioned to the regions in recognition of the city's exemption of similar lands in the city. This chart shows the impact of each jurisdiction paying the value of taxes on the TRCA lands within its boundaries. This is the chart that was included in the 2005 Preliminary Estimates as presented to the Authority on October 26, 2004.

Attachment 4 illustrates the apportionment of the costs of taxes, including the exempt portion, on the basis of modified CVA and then "credits" each jurisdiction for the value of the exemptions or taxes paid which that jurisdiction provides.

Column headed "d" in Attachment 4 represents the value of tax exemptions or taxes paid by municipalities on natural heritage (conservation) lands in each jurisdiction. Because the City of Toronto, and its predecessor, Metro Toronto, has provided exemptions since 1954, the actual assessment values have never been appealed and are considerably higher. TRCA has not incurred the cost of appeal since the exemption made this unnecessary. The assessment values for the City of Toronto have been derived by removing the Toronto Zoo, the Guild Inn and other similar venues to ensure that the conservation lands involved are comparable to those of the regions where TRCA has vigorously appealed assessments.

ANALYSIS

The best solution to this issue is for the province to implement the announced conservation lands exemption. In the interim, for purposes of the 2005 preliminary estimates, it would seem prudent to use the modified CVA formula to allocate the costs as has been done in the past. This is consistent with similar formulas which are used to apportion costs among the city and the regions for other cost sharing programs.

For purposes of the final 2005 budget, TRCA staff can report in April when the final budget is tabled as to progress with the province in terms of implementation of the change. If the change is to be implemented in time for the 2005 property taxes to be exempt, the municipal levy can reflect this. If not, the Authority will have to decide if it wishes to consider other options in the apportionment of these costs.

Report prepared by: Jim Dillane, 416-667-6292

For Information contact: Jim Dillane, 416-667-6292

Date: November 17, 2004

Attachments: 4

Attachment 1

Toronto and Region Conservation Authority
Acreage Owned and Taxes Paid (2004)

Municipality	Acreage (acres)	Conservation Areas/Field Centre/ Kortright Centre Taxes (\$)	Natural Heritage Land Taxes (\$)	Rental/Lease Taxes (\$)	Total Taxes (\$)
Durham	7,776	10,500	146,400	39,000	195,900
Peel	9,307	66,900	78,300	154,400	299,600
York	8,722	33,800	129,800	70,200	233,800
Mono	90	0	200	0	200
Adjala-Tosorontio	344	0	1,400	0	1,400
Toronto	11,857	0	700	21,700	22,400
TOTAL	38,096	111,200	356,800	285,300	753,300

Attachment 2

2005 LEVY APPORTIONMENT
CALCULATED AS IN 2004

<u>Municipality</u>	2004 Operating Levy incl. tax adj.	2005 General Levy Proportionate Factor	(a) Existing Tax Adjustment (1)	(b) Proposed Tax Adjustment	(c) Operating Levy (before tax adj.)	(a + c) Total 2005 Operating Levy including tax adjustment	Operating Change 05/04 (\$)	Operating Change 05/04 (%)
ADJALA-TOSORONTIO	693	0.0000762	0		747	747	54	7.8%
DURHAM	291,496	0.0305642	10,500		299,722	310,222	18,726	6.4%
TORONTO	6,311,624	0.6773725	0		6,642,529	6,642,529	330,905	5.2%
MONO	774	0.0000841	0		825	825	51	6.6%
PEEL	1,073,835	0.1094201	66,900		1,073,008	1,139,908	66,073	6.2%
YORK	1,676,778	0.1824829	33,800		1,789,485	1,823,285	146,507	8.7%
TOTAL	9,355,200	1.0000000	111,200	0	9,806,316	9,917,516	562,316	6.0%

Notes:

(1) comprised of taxes paid for CA's, KCC, Field Centres

Attachment 3

**2005 LEVY APPORTIONMENT
CALCUALTIONS WITH EXISTING AND PROPOSED TAX ADJUSTMENT AS REQUESTED
BY THE CITY IN 2004**

<u>Municipality</u>	2004 Operating Levy incl. tax adj.	2005 General Levy Proportionate Factor	(a) Existing Tax Adjustment (1)	(b) Proposed Tax Adjustment (2)	(c) Operating Levy (before tax adj.)	(a + b + c) Total 2005 Operating Levy including tax adjustments	Operating Change 05/04 (\$)	Operating Change 05/04 (%)
ADJALA-TOSORONTIO	693	0.0000762	0	1,400	720	2,120	1,427	205.9%
DURHAM	291,496	0.0305642	10,500	146,400	288,817	445,717	154,221	52.9%
TORONTO	6,311,624	0.6773725	0	700	6,400,842	6,401,542	89,918	1.4%
MONO	774	0.0000841	0	200	795	995	221	28.5%
PEEL	1,073,835	0.1094201	66,900	78,300	1,033,967	1,179,167	105,332	9.8%
YORK	1,676,778	0.1824829	33,800	129,800	1,724,375	1,887,975	211,197	12.6%
TOTAL	9,355,200	1.0000000	111,200	356,800	9,449,516	9,917,516	562,316	6.0%

Notes:

(1) comprised of taxes paid for CA's, KCC, Field Centres
(2) comprised of taxes paid for conservati on lands

Attachment 4

**2005 LEVY APPORTIONMENT
CALCULATIONS INCLUDING EXISTING, PROPOSED AND EXEMPT TAXES DISTRIBUTED
USING CVA**

<u>Municipality</u>	2004 Operating Levy incl. tax adj.	2005 General Levy Proportionate Factor	(a) Operating levy including normal paid taxes	(b) add: Exempt Taxes (1)	(c) Operating Levy PLUS all Taxes	(d) Credit re: Exempt Taxes	(c-d) 2005 operating Levy with all Taxes after credit for Exemption	Operating Change 05/04 (\$)	Operating Change 05/04 (%)	Change due to 6%	Change due to new tax treatment
ADJALA-TOSORONTIO	693	0.0000762			863	0	863	170	24.5%	54	116
DURHAM	291,496	0.0305642			346,100	108,100	238,000	(53,496)	-18.4%	18,726	(72,222)
TORONTO	6,311,624	0.6773725			7,670,374	957,500	6,712,874	401,250	6.4%	330,905	70,345
MONO	774	0.0000841			952	400	552	(222)	-28.6%	51	(272)
PEEL	1,073,835	0.1094201			1,239,042	237,800	1,001,242	(72,593)	-6.8%	66,073	(138,666)
YORK	1,676,778	0.1824829			2,066,385	102,400	1,963,985	287,207	17.1%	146,507	140,700
TOTAL	9,355,200	1.0000000	9,917,516	1,406,200	11,323,716	1,406,200	9,917,516	562,316	6.0%	562,316	0

Notes:

(1) comprised of taxes paid for conservation lands

TO: Chair and Members of the Authority
Meeting #10/04, November 26, 2004

FROM: Adele Freeman, Acting Director, Watershed Management Division

RE: **DESIGN FOR THE RESOURCE MANAGEMENT SERVICES WORKSHOP
BUILDING, SITE AND INFRASTRUCTURE SERVICES**
Consultant Selection

KEY ISSUE

Approval to award the contract for the provision of design services to advance the building, site and infrastructure elements for the relocation and construction of a new Resource Management Services Workshop at Boyd North.

RECOMMENDATION

THAT the contract for provision of architectural and engineering design services for the design and construction of the Resource Management Services Workshop and ancillary buildings be awarded to MontgomerySisam Architects Inc., this being the proposal which met Toronto and Region Conservation Authority (TRCA) specifications at the lowest cost, in the amount of \$196,000 plus taxes where applicable;

THAT staff be authorized and directed to take such action as may be necessary to implement the contract including the signing of documents;

THAT staff be authorized to approve additional unspecified expenditures to a maximum of fifteen percent of the total design fees as a contingency allowance to MontgomerySisam Architects Inc., if deemed necessary;

AND FURTHER THAT staff continue to work cooperatively with the City of Vaughan to negotiate and confirm a partnership for the sharing of the site, infrastructure and facilities, including development and construction costs.

BACKGROUND

At Authority Meeting #9/04, held on October 29, 2004, Resolution #A289/04 was approved as follows:

THAT staff be authorized to call for proposals for the design of the Resource Management Services (former Conservation Services) Workshop building, site and infrastructure services;

THAT staff be authorized to incur expenditures in accordance with approved 2004 budget allocations relating to the selection and retention of architectural consultant(s) necessary to undertake the design and tender preparation phases of the project;

AND FURTHER THAT staff continue to work cooperatively with the City of Vaughan Parks and Forestry staff to negotiate an agreement for the sharing of site, infrastructure and facilities, including development and construction costs.

Subsequent to this, staff circulated the consultants terms of reference for the design of the Resource Management Services Workshop building, site and infrastructure services to eleven (11) architectural and engineering consultants, representing a broad spectrum of design expertise with particular emphasis on Leadership in Energy and Environmental Design (LEED) certification and sustainable design experience.

A preliminary site meeting was held on November 2, 2004, to further discuss and define the terms of reference and provide prospective consultants the opportunity to review the available documentation and visit the proposed building site at the Boyd North lands. A total of eight (8) firms were in attendance.

The request for proposals call closed on Friday, November 12, 2004. A total of four proposals were received as follows:

Principal Company Name	Bid Price (Upset Limit)	GST	Total Bid Price
McCallum Sather Architects Inc	\$230,500	\$16,135	\$246,635
Keewatin-Aski Ltd. Consulting Engineers, Architect	\$144,000	\$10,080	\$154,080
architectsAlliance	\$216,400	\$15,148	\$231,548
MontgomerySisam Architects Inc.	\$196,000	\$13,720	\$209,720

Three of the consultant team proposals received share a common partnership with Enermodal Engineering Ltd., a Kitchener based company that is well known for their expertise in LEED project design and certification, including work on the Earth Rangers Wildlife Centre located at the Kortright Centre for Conservation.

A staff team, familiar with the project objectives and TRCA's vision for The Living City have reviewed and evaluated the proposals received on the basis of how well they reflected:

- an understanding of TRCA's project objectives;
- experience and references in the design and delivery of projects of this type and scale;
- innovation in approach and sustainable design elements;
- schedule for service and product delivery; and,
- cost effectiveness.

Based on the review, staff are confident that the consultant team led by MontgomerySisam Architects Inc. has accurately captured the TRCA's objectives and needs in regard of this building program.

RATIONALE

The proposals received from the four consultant teams were evaluated in accordance with the performance indicators listed in the terms of reference for the proposal call. Subsequent telephone inquiries to respective firms were used to clarify and expand on certain aspects of each proposal with a view to being able to equitably evaluate each in accordance with the others.

The proposal from Keewatin-Aski Ltd. was judged to be incomplete in respect of the terms of reference and direction provided. The proposals received from the other three consultant teams all met the requirements outlined in the terms of reference, and shared the common theme of project sustainability and sub-consultant(s) support.

The review team assessed that each of the proposals showed evidence that the individual teams were well qualified in terms of LEED design and were committed to deliver the project on schedule and within the specified TRCA project budget outline.

On this basis, the MontgomerySisam proposal was selected as offering the combination of project experience, design expertise and the lowest acceptable cost proposal.

FINANCIAL DETAILS

The recommended consultant project proposal submitted by MontgomerySisam Architects Inc. has set the design costs at \$196,000 plus GST. This amount is within the projected budget for the design phase that was set at 8-10% of the estimated construction budget of \$2 million dollars. Funds are available in the 2004 approved budget in the amount of \$200,000.

Subsequent phases of project tendering and construction are proposed as part of the 2005 budget and will be subject to Authority approval at future meeting, projected for May, 2005.

Report prepared by: Dave Rogalsky, extension 5378
For Information contact: Nick Saccone, extension 5301
Dave Rogalsky, extension 5378
Date: November 19, 2004

TO: Chair and Members of the Authority
Meeting #10/04, November 26, 2004

FROM: Adele Freeman, Acting Director, Watershed Management Division

RE: MANAGEMENT OF DOUBLE-CRESTED CORMORANTS AT TOMMY THOMPSON PARK
Ontario Ministry of Natural Resources Environmental Assessment

KEY ISSUE

Undertaking an environmental assessment to examine the impacts to Tommy Thompson Park as a result of the rapid expansion of the Double-crested Cormorant colony.

RECOMMENDATION

THE BOARD RECOMMENDS TO THE AUTHORITY THAT staff be directed to work with the Ontario Ministry of Natural Resources to undertake a partnered environmental assessment to examine management options for Double-crested Cormorants at Tommy Thompson Park;

AND FURTHER THAT staff be directed to continue to actively participate in local, regional and binational committees/working groups addressing the management of colonial waterbirds.

BACKGROUND

In 1959, the Toronto Harbour Commissioners (now known as the Toronto Port Authority or TPA) 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 Tommy Thompson Park (TTP). Tommy Thompson Park extends 5 kilometres into Lake Ontario and occupies an area of approximately 260 hectares of combined land and water.

Tommy Thompson Park has evolved into a significant feature along the shoreline of Lake Ontario. It is home to numerous birds, fish, reptiles, amphibians, mammals and vegetation communities, which has resulted in TTP being formally designated as a Globally Significant Important Bird Area (IBA) and an Environmentally Significant Area (ESA #120). The IBA international designation demonstrates TTP's significance nationally, as well as globally. As an ESA, Tommy Thompson Park is recognized as supporting an unusually high diversity of biological communities, including one provincially rare, seven regionally rare and six locally rare plant species. TTP has also established itself as a unique place for a variety of human activities, attracting well over 200,000 visitors a year.

Double-crested Cormorants (DCCO) began colonizing Tommy Thompson Park in 1990, when 6 nests were built in Cottonwood trees at the end of Peninsula B. Nest numbers have exponentially increased over the past 14 years to the point where there are 5,904 nests in 2004, representing a population of approximately 22,500 individual cormorants. This currently makes the TTP colony the second largest in the Lake Ontario basin. In 2004, staff have also monitored a new satellite colony of 137 nests which has established in the Humber Marshes at the west end of the Toronto harbour.

Toronto and Region Conservation Authority (TRCA) staff became concerned with the rapid increase in DCCO numbers at TTP in the early 1990's and as a result began a detailed monitoring program to track DCCO growth and expansion, impacts on other colonial nesting species and impacts on vegetation cover. The data collected by TRCA staff since 1990 has been recognized by other agencies/institutions involved in colonial waterbird management as one of best data sets on DCCOs on the Great Lakes.

The DCCO currently nest on the western peninsulas of the park known as Peninsulas A, B and C. Peninsulas B and C are currently under TRCA ownership, and Peninsula A is owned by the Ontario Ministry of Natural Resources. Since the early 1990's, DCCO have had significant ecological, cultural and physical impacts at TTP. The tree health monitoring program has shown that 82% of all trees in the study area are in poor health and approximately 40% of the total tree canopy on the western peninsulas of the park has been lost since the introduction of DCCO. There is no significant regeneration or regrowth of trees in these areas, and there is an overall loss in herbaceous diversity.

The expansion of the DCCO colony at TTP between 1990 and 2004 has also been the cause of a shift in the nesting behaviors of the Black-crowned Night Heron (BCNH) population. The BCNHs are a regionally (and proposed Provincially) significant colonial waterbird species. The colony at TTP represents the largest breeding colony of BCNHs on the Great Lakes, and represents 32% of the Canadian nesting population (2000). This species, in its present abundance, has contributed to the Spit being designated as a Globally Significant Important Bird Area (IBA). The expansion of DCCOs has displaced the BCNHs from their nesting areas and has forced them into marginal areas that now conflict with park users. Assuming that the DCCO population continues to grow at the current rate, the impacts of the DCCO on the BCNH and the vegetation community will intensify.

TRCA staff have been participating in the binational Great Lakes Working Group on Colonial Waterbirds for several years. Discussions and presentations at the working group meetings have shown that the explosion of DCCO populations and, their associated impacts, is not a localized issue and that it is part of a much larger Canadian and American Great Lakes Basin-wide concern. The agencies participating in the Great Lakes Working Group have discussed regional-based management programs for DCCO that are coordinated on both sides of Great Lakes. The consensus among agency experts is that the management of DCCO is best achieved through a basin-wide co-ordinated effort.

The average annual increase of DCCO at Tommy Thompson Park since 1991 is 50%. Over the last 5 years the average increase slowed to 20% but shows no sign of slowing further. At a 20% annual rate of increase the projected population of DCCOs in 2005 will be 27,000 individuals, and by 2010 it would be 66,000. The majority of this growth would likely occur in the remaining healthy trees in which BCNHs currently nest.

The DCCO colony at TTP is one of the only colonies on Lake Ontario that is not being actively managed at this time. Research on DCCO movements in response to disturbance has shown that if DCCOs are disturbed, they will travel large distances to undisturbed colony sites. It is likely that in recent years, TTP has been receiving birds from other colonies where DCCOs are being managed. Several agencies such as Ontario Parks, Ontario Ministry of Natural Resources, Quebec Ministry of Natural Resources, New York Department of Environmental Conservation and the US Department of Agriculture have had active management programs at colony sites under their jurisdiction.

RATIONALE

The rationale for undertaking an environmental assessment in partnership with the Ontario Ministry of Natural Resources to investigate management options for DCCOs is as follows:

- **Trees are being lost at a rate faster than they can re-grow:**
 - forest canopy is being irreparably lost and damaged;
 - overall tree health on peninsulas is declining;
 - vegetation diversity is diminishing;
 - soil erosion along shoreline is increasing due to loss of trees.

- **Other colonial waterbird species are being negatively impacted:**
 - many BCNHs now nesting in young/weak trees in higher disturbance areas;
 - Great Egrets and Great Blue Herons discouraged from nesting;
 - productivity of other colonial nesting waterbirds is compromised;
 - prime nesting habitat is being lost.

- **Migratory songbirds and other wildlife species are being impacted:**
 - value of TTP as a migratory bird stopover area is being compromised due to vegetation and habitat loss;
 - vegetation loss is resulting in habitat loss for other species.

- **Public Use:**
 - approximately 200,000 people visit TTP annually. Attendance numbers will increase with park improvements. DCCO colony can be unsightly due to their destruction of vegetation;
 - wildlife-human conflicts are increasing as other species are being pushed into areas of higher human use due to the loss of habitat;
 - the DCCO colony is highly visible from the Outer Harbour and Cherry Beach. The public and recreational boaters have expressed concerns regarding odor, water quality and aesthetics;
 - anglers have complained that DCCO are impacting the fish community.

- **Water Quality Concerns:**
 - guano from DCCO colony have been shown to causes localized seasonal water quality impairment.

DETAILS OF WORK TO BE DONE

DCCOs are currently nesting on three peninsulas at TTP: Peninsulas A, B and C. Peninsulas B and C are owned by TRCA. Peninsula A is owned by the Ontario Ministry of Natural Resources under lease to the Toronto Port Authority. TRCA staff, in partnership with the Ontario Ministry of Natural Resources will undertake an environmental assessment exploring various management options for DCCO at TTP.

FINANCIAL DETAILS

Funds are available in the Tommy Thompson Park Interim Management account in the approved 2004 budget to undertake an environmental assessment in partnership with the Ontario Ministry of Natural Resources.

Report prepared by: Tamara Chipperfield, extension 5248

For information contact: Ralph Tonionger extension 5366

Date: November 10, 2004