



THE TORONTO AND REGION CONSERVATION AUTHORITY

Authority Meeting #3/04

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

**March 26, 2004
10:00 A.M.**

SOUTH THEATRE, BLACK CREEK PIONEER VILLAGE

AGENDA

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| 1. MINUTES OF MEETING #2/04
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| 2. BUSINESS ARISING FROM THE MINUTES | |
| 3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF | |
| 4. DELEGATIONS | |
| 5. PRESENTATIONS | |
| 5.1 A presentation by Eva Ligeti, Executive Director, The Clean Air Partnership, in regards to the TRCA Role in Air Quality and the GTA Clean Air Partnership. | |
| 6. CORRESPONDENCE | |
| 7. SECTION I - ITEMS FOR AUTHORITY ACTION | |
| 7.1 WHITE PAPER ON WATERSHED-BASED SOURCE PROTECTION PLANNING
Review and Comments | 11-22 |
| 7.2 CITY OF TORONTO LAND ADJACENT TO WOOD GREEN RAVINE | 23-27 |

- 7.3 TORONTO WATERFRONT REVITALIZATION CORPORATION - DELIVERY AGREEMENTS FOR THE PORT UNION WATERFRONT IMPROVEMENTS PROJECT AND THE MIMICO WATERFRONT LINEAR PARK PROJECT 28-29
- 7.4 CITY OF TORONTO'S ECONOMIC DEVELOPMENT SECTOR INITIATIVE PROGRAM 30

ITEM 7.5 - CONFIDENTIAL

- 7.5 SALARY/WAGE ADJUSTMENT 2004 31-32

- 7.6 PROHIBITION OF BUYING OR SELLING LIVE INVASIVE CARPS, SNAKEHEADS AND GOBIES

Ministry of Natural Resources Proposal for Regulation
Report to Follow

8. CONSIDERATION OF REPORTS TO THE EXECUTIVE COMMITTEE MEETING #2/04, HELD ON MARCH 5, 2004

Refer to pages printed on **PINK**

9. CONSIDERATION OF REPORTS TO THE BUSINESS EXCELLENCE ADVISORY BOARD MEETING #1/04, HELD ON MARCH 5, 2004

Refer to pages printed on **YELLOW**

10. NEW BUSINESS

NEXT MEETING OF THE AUTHORITY #4/04, TO BE HELD ON APRIL 30, 2004,
AT 10:00 A.M. IN THE SOUTH THEATRE, BLACK CREEK PIONEER VILLAGE

Brian Denney
Chief Administrative Officer

/af

**8. CONSIDERATION OF REPORTS TO THE EXECUTIVE COMMITTEE MEETING
#2/04, HELD ON MARCH 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 / Don River Watershed and Rouge
River Watershed Component
Duke of Richmond Developments Inc.
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- 8.2 NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT
2001-2005**
Flood Plain and Conservation Component/Mimico Creek Watershed
Jaroslaw and Olena Semotiuk
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- 8.3 CITY OF TORONTO**
Request for Permanent Easement for a 900 mm Diameter Storm Sewer
Waterfront Watershed, City of Toronto
CFN 35156 77-79
- 8.4 THE REGIONAL MUNICIPALITY OF YORK**
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- 8.5 GTA - METROQUEST 83-90**
- 8.6 REPRESENTATIVES ON VARIOUS COMMITTEES 91-92**

SECTION II - ITEMS FOR EXECUTIVE ACTION

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

CITY OF VAUGHAN

- 8.7.1 JULIAN MILAKOWSKI**
To place fill within a regulated area on Part 1, Lot 4, Plan M-1116, (49 Pine
Ridge Avenue), in the City of Vaughan, Humber River Watershed as
located on the property owned by Julian Milakowski. 93-95

8.7.2 MICHELE CAUTILLO

To place fill within a regulated area on Part Lot 9, Concession 7, Part Lot 5, Plan M-1115, (45 Birch Hill Road), in the City of Vaughan, Humber River Watershed as located on the property owned by Michele Cautillo. 95-96

8.7.3 THE VITANOVA FOUNDATION

To place fill within a regulated area on (6299 Rutherford Road), in the City of Vaughan, Humber River Watershed as located on the property owned by The Vitanova Foundation. 96-97

8.7.4 HANK WASSENAAR

To place fill within a regulated area on Concession 7 Lot 5, Plan 546, (192 Wallace Street), in the City of Vaughan, Humber River Watershed as located on the property owned by Hank Wassenaar. 97-98

CITY OF TORONTO (TORONTO EAST COMMUNITY COUNCIL)

8.7.5 CITY OF TORONTO

To construct in a flood plain on (McNicoll Avenue Road Right-of-Way), in the Toronto East Community Council, Highland Creek Watershed as located on the property owned by City of Toronto. 98-99

MINOR WORKS PERMIT

8.7.6 ROBERT HARKIN

To place fill within a regulated area on Lot 5, Plan 4072, (77 Fishleigh Drive), in the Toronto East Community Council, Waterfront Watershed as located on the property owned by Robert Harkin. 100-101

CITY OF TORONTO (TORONTO NORTH COMMUNITY COUNCIL)

MINOR WORKS PERMIT

8.7.7 KURT AND JESSICA CHON

To place fill within a regulated area on (11 Sifton Court), in the Toronto North Community Council, Don River Watershed as located on the property owned by Kurt and Jessica Chon. 101-102

MINOR WORKS PERMIT

8.7.8 JIM ASTON

To place fill within a regulated area on Lot 17, Plan M-1001, (1 Tanner Court), in the Toronto North Community Council, Don River Watershed as located on the property owned by Jim Aston. 102-103

CITY OF TORONTO (TORONTO SOUTH COMMUNITY COUNCIL)

8.7.9 HYDRO ONE NETWORKS INC

To construct in a flood plain, place fill within a regulated area (Gerrard Street Transfer Station and the Mill Street Junction), in the Toronto South Community Council, Don River Watershed as located on the property owned by Hydro One Networks Inc. 103-104

CITY OF TORONTO (TORONTO WEST COMMUNITY COUNCIL)

MINOR WORKS PERMIT

8.7.10 CAROLYN FRANKE

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TOWN OF AJAX

8.7.11 TOWN OF AJAX

To alter a waterway, construct in a flood plain, place fill within a regulated area on Carwin Crescent, in the Town of Ajax, Duffins Creek Watershed as located on the property owned by Town of Ajax. 106-107

TOWN OF MARKHAM

8.7.12 BOX GROVE HILL DEVELOPMENTS INC.

To alter a waterway, construct in a flood plain on Lot 6, Concession 9, (9th Line and Fourteenth Avenue), in the Town of Markham, Rouge River Watershed as located on the property owned by Box Grove Hill Developments Inc.. 107-109

8.7.13 SANTINA DIGALAKIS

To place fill within a regulated area on Lot 12, Plan 6230, (21 Rouge River Circle), in the Town of Markham, Rouge River Watershed as located on the property owned by Santina Digalakis. 109-110

THE FOLLOWING PERMIT APPLICATIONS ARE ERRATA ITEMS:

CITY OF BRAMPTON

WITHDRAWN

8.7.14 DUFFERIN CONSTRUCTION CO.

To alter a waterway, construct in a flood plain, place fill within a regulated area on (Crossing C19F in the South East corner of Castlemore Road and Airport Road, at the location of the Future Humberwest Parkway), in the City of Brampton, Humber River Watershed as located on the property owned by Regional Municipality of Peel. 111

8.7.15 OAK VALLEY DEVELOPMENTS INC.

To construct in a flood plain, place fill within a regulated area on Lot 7, Concession 9 NDS (Cottrelle Boulevard), in the City of Brampton, Humber River Watershed as located on the property owned by City of Brampton

111-112

CITY OF MISSISSAUGA

WITHDRAWN

8.7.16 CARTERM INTERMODAL LOGISTICS INC.

To construct in a flood plain, place fill within a regulated area on Part Lot 12, Concession 6 EHS Block F, G, Plan 875, (2700 Drew Road), in the City of Mississauga, Mimico Creek Watershed as located on the property owned by Carterm Intermodal Logistics Inc.

113

WITHDRAWN

8.7.17 RIO CAN REAL ESTATE INVESTMENT

To construct in a flood plain on (3110 Dixie Road), in the City of Mississauga, Etobicoke Creek Watershed as located on the property owned by Rio Can Real Estate Investment.

113

CITY OF PICKERING

8.7.18 CITY OF PICKERING

To construct in a flood plain, place fill within a regulated area on Lot 13, Concession 4 and 5, in the City of Pickering, Duffins Creek Watershed as located on the property owned by City of Pickering.

113-114

CITY OF VAUGHAN

8.7.19 DUFFERIN CONSTRUCTION CO.

To alter a waterway on (Crossing 23TF- on Teston Road west of Keele Street), in the City of Vaughan, Don River Watershed as located on the property owned by Regional Municipality of York.

115-116

8.7.20 DUFFERIN CONSTRUCTION CO.

To alter a waterway on (Crossing 20TF on Teston Road - 837m east of Jane Street), in the City of Vaughan, Don River Watershed as located on the property owned by Regional Municipality of York.

116-117

8.7.21 DUFFERIN CONSTRUCTION CO.

To alter a waterway on (Crossing 18TF-Teston Road - 213m east of Jane Street), in the City of Vaughan, Don River Watershed as located on the property owned by Regional Municipality of York.

117-119

8.7.22 REGIONAL MUNICIPALITY OF YORK

To place fill within a regulated area on Islington Avenue (from Kiloran Avenue to Wycliffe Avenue/Arista Gate), in the City of Vaughan, Humber River Watershed as located on the property owned by Regional Municipality of York. 119-120

8.7.23 REGIONAL MUNICIPALITY OF YORK

To construct in a flood plain on Rutherford Road (between Weston Road to east of Jane Street) and Jane Street (between Locke Street to north of Rutherford Road), in the City of Vaughan, Don River, Humber River Watershed as located on the property owned by Regional Municipality of York. 120-122

CITY OF TORONTO (TORONTO EAST COMMUNITY COUNCIL)

8.7.24 MANUEL FERREIRA

To place fill within a regulated area on Part Lot 47, Plan 2732, (24 Cedarview Drive), in the Toronto East Community Council, Highland Creek Watershed as located on the property owned by Manuel Ferreira. 122-123

CITY OF TORONTO (TORONTO NORTH COMMUNITY COUNCIL)

WITHDRAWN

8.7.25 BELL CANADA

To construct in a flood plain on (Duncan and Don Mills), in the Toronto North Community Council, Don River Watershed as located on the property owned by Bell Canada. 123

CITY OF TORONTO (TORONTO SOUTH COMMUNITY COUNCIL)

8.7.26 CITY OF TORONTO

To alter a waterway on Lot 3, Plan 2699, (Moorehill Drive), in the Toronto South Community Council, Don River Watershed as located on the property owned by City of Toronto. 123-124

8.7.27 CITY OF TORONTO

To place fill within a regulated area on Plan 661Y, (Glen Road), in the Toronto South Community Council, Don River Watershed as located on the property owned by City of Toronto. 124-126

8.7.28 THE BOULEVARD CLUB

To place fill within a regulated area on Part G L Block M, N, O, P, Q, Plan D-1411, (1491 Lakeshore Boulevard West), in the Toronto South Community Council, Waterfront Watershed as located on the property owned by The Boulevard Club. 126-127

CITY OF TORONTO (TORONTO WEST COMMUNITY COUNCIL)

8.7.29 LESZEK ZIELINSKI

To place fill within a regulated area on (14 Leland Avenue), in the Toronto West Community Council, Mimico Creek Watershed as located on the property owned by Leszek Zielinski. 127-128

WITHDRAWN

8.7.30 ERIC PASKEVICS

To construct in a flood plain, place fill within a regulated area on (42 Bonnyview Drive), in the Toronto West Community Council, Mimico Creek Watershed as located on the property owned by Eric Paskevics. 128

TOWN OF MARKHAM

8.7.31 YORK DOWNS GOLF & COUNTRY CLUB

To construct in a flood plain on Lot 16, 17, Concession 5, (4143 16th Avenue), in the Town of Markham, Rouge River Watershed as located on the property owned by York Downs Golf & Country Club. 128-129

TOWN OF RICHMOND HILL

8.7.32 CHRIS ZIMMERMAN

To place fill within a regulated area on Lot 39 & 40, Plan 2027, 33 Walmer Road, in the Town of Richmond Hill, Don River Watershed as located on the property owned by Chris Zimmerman. 130-131

CITY OF BRAMPTON

8.7.33 REGIONAL MUNICIPALITY OF PEEL

To place fill within a regulated area on Lot 1, Concession 1 EHS, Plan 2889VS (P-2002-59), (Intersection of Hurontario Street and Steeles Avenue), in the City of Brampton, Etobicoke Creek Watershed as located on the property owned by Regional Municipality of Peel. 131-133

CITY OF TORONTO (TORONTO-WEST COMMUNITY COUNCIL AREA)

8.7.34 HULLMARK DEVELOPMENTS LTD.

To place fill within a regulated area on Block 1, Plan 66M-2257, (700 and 710 Humberwood Boulevard), in the City of Toronto (Toronto-West Community Council Area), Humber River Watershed as located on the property owned by Hullmark Developments Inc. 133-135

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9. CONSIDERATION OF REPORTS TO THE BUSINESS EXCELLENCE ADVISORY BOARD MEETING #1/04, HELD ON MARCH 5, 2004

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SECTION IV - ITEMS FOR THE INFORMATION OF ANOTHER BOARD

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TO: Chair and Members of the Authority
Meeting #3/04, March 26, 2004

FROM: Adele Freeman, Acting Director, Watershed Management Division

**RE: WHITE PAPER ON WATERSHED-BASED SOURCE PROTECTION
PLANNING**
Review and Comments

KEY ISSUE

Comments on the White Paper on Watershed-Based Source Protection Planning; endorsement of the proposed source protection planning region; and approval of the Toronto and Region Conservation Authority's proposed role as the lead conservation authority for that planning region.

RECOMMENDATION

THAT the proposed source protection planning region involving the jurisdictions of Credit Valley Conservation (CVC), Toronto and Region Conservation Authority (TRCA), and the Central Lake Ontario Conservation Authority (CLOCA) be endorsed;

THAT TRCA act as the lead conservation authority for this source protection planning region;

THAT TRCA staff work with staff of CLOCA and CVC to develop a memorandum of agreement, for approval by each conservation authority board, setting out the terms of administration among the three conservation authorities in the planning region;

THAT staff report back on the proposed details of implementation in this region, including the Source Protection Planning Committee membership and work program, at such time as legislation is tabled;

THAT the Chair forward a copy of the Authority resolution and this staff report, including TRCA comments on the "White Paper on Watershed-Based Source Protection Planning", to Conservation Ontario for inclusion in their consolidated conservation authority comments to the Ministry of the Environment;

THAT the Chair forward a copy of the Authority resolution and comments on the "White Paper on Watershed-Based Source Protection Planning" to member municipalities, CVC and CLOCA;

THAT TRCA staff continue to participate in Conservation Ontario's technical staff team on source protection;

THAT TRCA continue to support the efforts of Conservation Ontario to secure sufficient additional resources from the Province of Ontario to enable conservation authorities and their partners to complete and implement source protection plans;

THAT TRCA staff continue to work with member municipalities in undertaking the five year program of watershed planning to meet the Oak Ridges Moraine Conservation Plan and consider opportunities for addressing the anticipated requirements of source protection;

AND FURTHER THAT TRCA staff continue to pursue the development of a pilot source protection plan in the Duffins and Carruthers Creeks watersheds.

BACKGROUND

On February 12, 2004, the provincial government released the “White Paper on Watershed-Based Source Protection Planning” for public comment by April 12, 2004. The White Paper builds on the report of the Provincial Advisory Committee on Watershed-Based Source Protection, issued in May 2003, and responds to a recommendation of that Report which called for additional stakeholder consultation. The White Paper proposes a framework for the proposed source water protection legislation, including additional details around local stakeholder and public involvement in the source protection planning process and an approval process for plans. The White Paper also outlines ways to enhance Ontario’s management of water takings and the concept of water taking charges.

TRCA staff have participated with Conservation Ontario throughout the Walkerton Inquiry to promote the need for watershed-based source protection, as a first step in a multi-barrier approach to the protection of water supplies. The TRCA regards source protection planning as a component of overall watershed planning, and is committed to continuing its partnership with municipalities and other watershed stakeholders as an effective means of preparing and implementing any new requirements associated with source protection planning and implementation.

TRCA comments on White paper

Overall, TRCA is pleased with the White Paper and the provincial government’s commitment to move quickly on the development of a watershed-based source protection program for Ontario. We are encouraged to see that the White Paper addresses comments made by the Authority and Conservation Ontario on the Advisory Committee Report, particularly on the need to provide for the involvement of all municipalities within a watershed and all key local stakeholders during the source protection planning process. We are further encouraged by the province’s willingness to explore at least one “user pay” approach to addressing the funding requirements necessary for source protection, through the investigation of water use charges.

The following report summarizes TRCA’s detailed comments on the White Paper, by identifying the implications to TRCA and recommending a suggested approach for administering the given issue within the TRCA region. Specific recommendations and comments on the White Paper are shown in italics, and will be provided to Conservation Ontario for inclusion in their consolidated comments to the province. Page references refer to the relevant section of the White Paper.

Introduction, Purpose and Need

The province rightly identifies that source protection planning (SPP) is about protecting the quality and quantity of drinking water, but should be aware that the improved management of water takings is only one aspect of water quantity management. In the TRCA jurisdiction, land use changes and associated impacts on watershed water budgets have the potential to impact drinking water quality and quantity significantly, particularly for those users reliant on groundwater (Ref. p. 1).

The province should ensure that the source protection program recognizes the need to manage other impacts on water quantity, in addition to water takings.

TRCA is encouraged by the acknowledgement that source protection plans would help maintain and enhance the ecological, recreation, and commercial values of water resources (Ref. p. 9).

TRCA strongly believes that a minimum level of source protection planning and implementation requirements must apply to lands served by the Great Lakes water supply. This will ensure equity across all landowners and avoid a situation where future development of the Great Lakes water supply sources become more economically competitive than inland alternatives, due to the implications for SPP restrictions. This still recognizes that areas of direct threats to inland sources of drinking water may require greater regulations (Ref. p. 9).

Source protection legislation should apply, at least to a minimum level of requirement, to all lands served by the Great Lakes water supply.

Watershed Regions

The proposed legislation would recognize groupings of existing conservation authority (CA) watershed jurisdictions, as a means of pooling resources, sharing expertise and coordinating work. Watershed regions would be designated through an agreement between the Minister of the Environment and the affected conservation authorities.

The TRCA jurisdiction is proposed to be part of a watershed region, including CVC's and CLOCA's jurisdictions. This proposal was developed in discussion among senior CA staff within the Conservation Authorities Moraine Coalition. There is sound rationale for this grouping in that the three CAs:

- share the Oak Ridges Moraine (ORM) and associated hydrogeological, hydrological, and water supply similarities;
- have experience working together through the York-Peel-Durham-Toronto groundwater management study;
- share common regional municipalities with TRCA;
- share common planning and implementation issues; and
- can offer efficiencies in developing common, consistent solutions.

Given the complexity of issues across this watershed region, it is expected that source protection plans would be developed at the individual watershed scale (e.g. Credit River, Humber River, etc.), while efficiencies and consistency in approaches would be ensured through coordination of the three CAs into one region.

TRCA supports the concept of watershed regions and recommends the CVC, TRCA and CLOCA watershed jurisdictions be grouped into one watershed planning region for the purposes of source protection planning.

Lead CA

In watershed regions having greater than one CA, the proposed legislation would provide for a lead CA to be designated for administrative purposes. The lead CA would have responsibilities for the following activities:

- establishing a Source Protection Planning Committee (SPPC; see below) for the region, ensuring proper stakeholder representation and recommending a chair;
- coordinating technical experts and resource sharing; and
- assisting each Source Protection Planning Board (SPPB; i.e. the individual CA board; see below) in establishing work planning priorities.

Senior staff of the three CAs within the CVC-TRCA-CLOCA watershed region have recommended that TRCA act as the lead CA for the region, considering our central location, representation of most regional municipalities on our Authority board, and our experience with multi-stakeholder committees.

TRCA supports the need for a lead CA and proposes to act as lead CA in the CVC-TRCA-CLOCA region.

The White Paper provides few details with respect to the anticipated reporting and other administrative requirements between the lead CA and the province. It is understood that the role of the lead CA and its SPPB is strictly administrative and does not involve a responsibility for ensuring that source protection plans meet the legislative requirements, other than for plans completed within its own jurisdiction (i.e. the SPPBs of the other CAs in the region will be responsible for their own plans).

The source protection planning legislation and regulations should clarify the roles of the lead CA with respect to reporting requirements with the province and approval requirements, if any, for plans completed within its region (other than plans carried out within the lead CA's own jurisdiction).

Source Protection Planning Board (SPPB)

For watersheds in the province where there are CAs, such as is the case here, the "SPPB" would be the board of the CA. The SPPB's primary source protection responsibility would be to review the work of the Source Protection Planning Committee (SPPC; see below), specifically:

- reviewing and approving the Terms of Reference for the source water protection planning process based on the legally binding directions provided by the Ministry of Environment (MOE);
- ensuring that the source water protection assessment and plan comply with the requirements of the legislation and the provisions of the Terms of Reference including the provisions governing public participation;
- working with the SPPC towards achieving supporting resolutions from 100% of municipal councils; and
- seeking formal documentation of the level of support for a source water protection plan.

The White Paper includes a general reference to the potential requirement for the SPPB to undertake “other tasks”, as may be specified in the legislation.

TRCA generally supports the role of the SPPB, subject to further review of the legislation and regulations.

Source Protection Planning Committee (SPPC)

The proposed legislation would outline a role for a multi-stakeholder source protection planning committee (SPPC). The SPPC’s primary functions would be to:

- develop Terms of Reference for the source water protection plans within the watershed;
- provide direction for the development of the draft source water protection assessment and source water protection plan for each watershed in accordance with the legislation and regulations;
- ensure the best available science is used;
- work with the SPPB to achieve supporting resolutions from 100% of municipal councils;
- establish and co-ordinate a transparent local consultation process.

TRCA is especially pleased that the White Paper has addressed the TRCA’s comments on the earlier advisory committee report, regarding the need for greater opportunities for meaningful involvement of all municipalities and local stakeholders in the planning process. There would now be a requirement for the establishment of a sub-committee with representation from all watershed municipalities and provision for the creation of sub-committees for other stakeholders, as necessary.

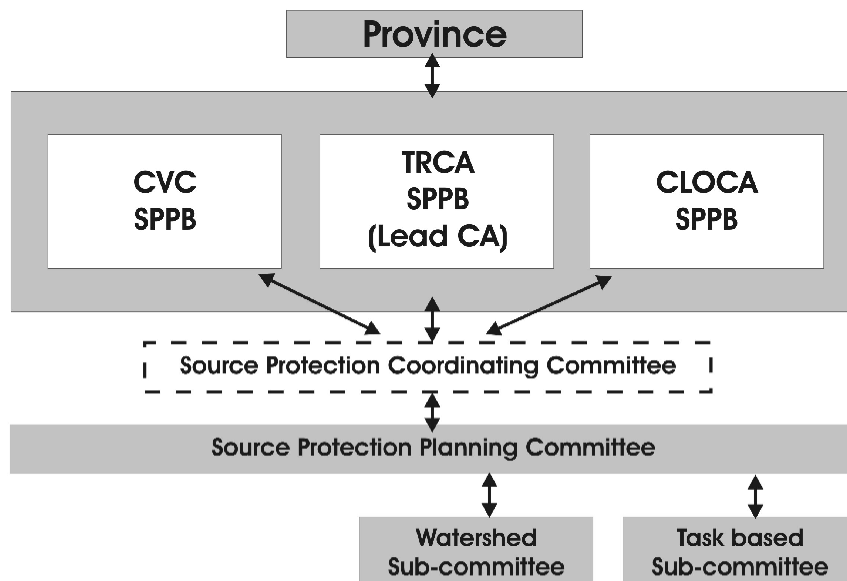
The legislation / regulations should clarify that the “watershed sub-committee with representatives of all municipalities in the watershed region” would allow for modification in regions where source protection plans will be prepared for individual watershed units, such that the sub-committee need only involve municipal representatives from the affected municipalities within that individual watershed.

The legislation / regulations should allow for the combination of municipal representatives and other stakeholders on one sub-committee.

Senior staff of the three conservation authorities have met to discuss considerations for the administration of source protection planning within this planning region and a process for establishing a Source Protection Planning Committee (SPPC). Figure 1 illustrates the proposed administrative and reporting framework for this watershed region. It is proposed that a source protection “Coordinating Committee”, comprised of the general managers, Chairs, and senior technical staff of each of the three CAs, serve as a secretariat for coordinating reports to the SPPC and ensure that directions from the SPPC are carried out. Within the TRCA jurisdiction, staff envision the continuation of our successful watershed advisory committees (e.g. Humber Watershed Alliance, Rouge Watershed Task Force, etc.) as the body overseeing the preparation of watershed based SPPs in concert with watershed plans. These committees would represent the “sub-committees” permitted within the proposed legislation, and would allow for involvement by all affected municipalities and stakeholders.

Figure 1

**CVC-TRCA-CLOCA Watershed Region
Proposed SPP Administrative Framework and Reporting**



Legend
 SPP - source protection plan
 SPPB - source protection planning board (ie. local CA board)

Membership of the SPPC would be restricted to a maximum of fifteen members representing a prescribed set of interests, as set out in the White Paper and as identified in italics below.

Within the CVC-TRCA-CLOCA region, the following membership is proposed in bold within this prescribed composition:

Five municipal representatives

Each of the following regions would be asked to appoint one representative:

- **Durham Region**
- **York Region**
- **Peel Region**
- **City of Toronto**
- **Halton Region**

One to two First Nations

- **a First Nations representative**

One to two public health bodies

- **a Regional Health Unit representative**
- **a group such as “Doctors for a Safe Environment” or another regional/provincial Health representative**

One to two members from the agricultural sector

- **Ontario Federation of Agriculture**
- **a local agricultural advisory group representative**

One member of the public

- **a prominent citizen, having familiarity with watershed planning and source protection issues from throughout the watershed region**

Four to five other members representative of other stakeholders (to be determined locally)

- **a representative of the Urban Development Institute**
- **a representative of a broad base of environmental interests**
- **a representative of the aggregate sector**
- **a representative of rural landowners**

Chair: a community leader having familiarity with issues and experience working with municipalities and stakeholders from throughout the region.

Modifications to this membership may be permitted by MOE, if sound rationale is provided. Provincial and federal representatives would participate *ex officio* on the SPPC or any of its sub-committees.

The selection process would involve a combination of active recruitment and a public application process. Regional municipalities would be invited to appoint a representative. For the remaining positions, a selection committee comprised of the Chair and General Manager of each of the three CAs would review all applications and potential recruits to select the committee members. Selection criteria would include:

- familiarity with source protection issues throughout the region;
- demonstrated respect and regard as a representative of the stakeholder interest;
- previous experience on multi-stakeholder committees; and
- familiarity with the latest science and management practices involving watershed approaches, source protection and implementation mechanisms.

The Minister of the Environment would appoint the chair of the SPPC, based on recommendations from the TRCA, acting as lead CA in this watershed region.

Terms of Reference for SPPs and Technical Process

Given that the White Paper is outlining information that would be included in legislation or regulations, it is understandable that the level of detailed technical information in the White Paper is limited. Although TRCA staff support the general outlines for the minimum components in the Terms of Reference, assessment reports and SPPs, staff do have some concerns with the examples provided in the Appendices to the White Paper. The appendices do not appear to be consistent with the scope of work outlined in the main report.

As the technical content and process for source protection planning is developed, the province should ensure that the requirements are consistent with the intent and scope of work outlined in the White Paper. In addition to collecting information on water supplies, water demand and potential sources of contamination, the initial technical assessment must determine the watershed functions that contribute to the maintenance of those supplies and the potential threats to those functions. Furthermore, we would advocate that the generic watershed planning process, outlined in the “Lessons Learned and Best Practices in Watershed Planning” Demonstration Project (CVC, TRCA and GRCA, 2003) developed for the province, provides a basic framework for source protection planning. We recommend that any technical requirements and process be presented within that framework, in an effort to facilitate coordination with ongoing watershed planning studies, such as those being completed to fulfill the Oak Ridges Moraine Conservation Plan requirements.

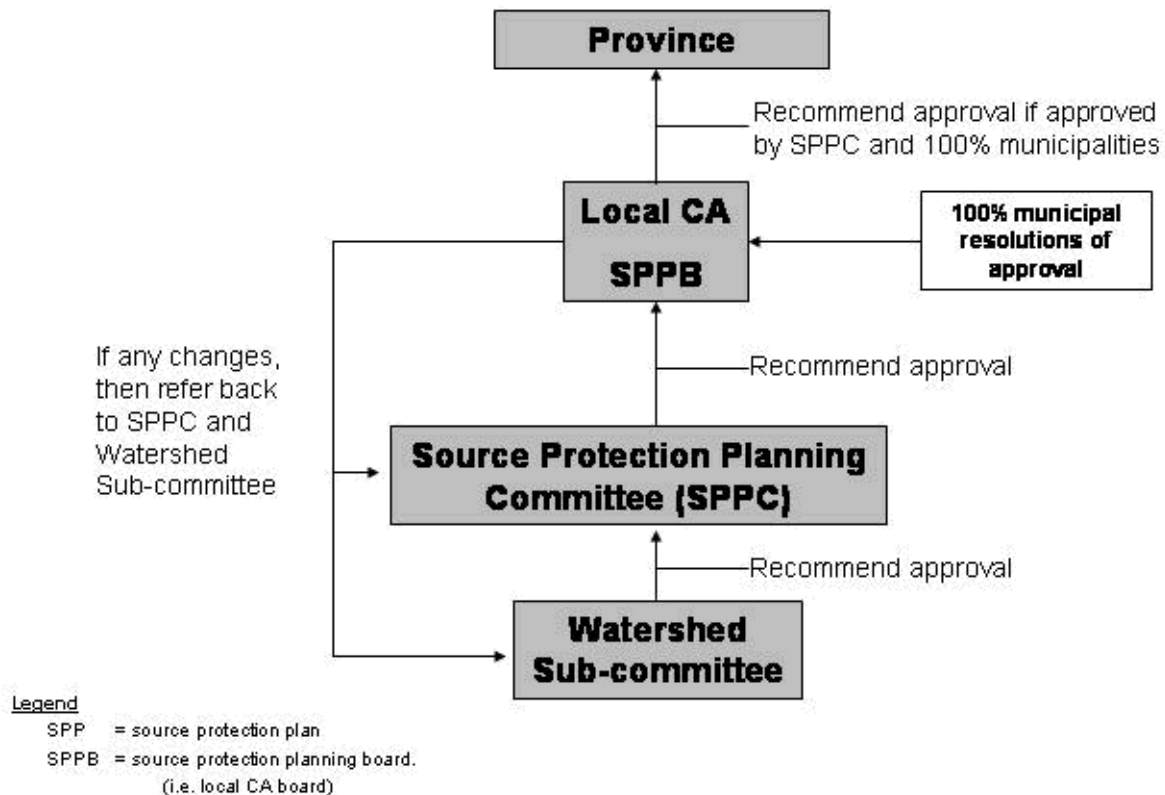
TRCA staff are in the process of developing a proposed Terms of Reference (TOR) for the completion of a source protection plan for the Duffins and Carruthers Creeks watersheds, based on the knowledge gained from the extensive studies undertaken as part of the recently completed watershed plan, wellhead, water use and contaminant inventory studies being led by the Region of Durham. Staff believe that the insight gained from these studies help to position this watershed as a candidate for a pilot project. The outline should prove as a useful case study in providing further comment to the SPP program development.

SPP Approval Process

As set out in the White Paper, the SPPC would recommend the final source protection plan for approval by the local SPPB, who would, in turn, recommend the plan for approval by MOE, only after having received confirmation of approval of the plan by all affected municipal councils (see Figure 2).

Figure 2

CVC – TRCA – CLOCA Watershed Region Proposed Final SPP Approval Process



Water Takings Management and Charges

The White Paper includes a discussion of approaches being considered by the Ministry of the Environment to improve the rules and processes associated with water takings, including the "Permit To Take Water" (PTTW) program, and explores a framework for how Ontario could charge for water takings. A proposed framework for water taking charges is to be brought forward in spring 2004. This water use management initiative is a continuation of steps taken by the provincial government in April 2003, involving the moratorium on new commercial PTTW on the Oak Ridges Moraine, and the extension of that moratorium in December, 2003 to new or expanded PTTW for water bottling operations and certain other commercial takings throughout Ontario. The moratorium is in effect until December 31, 2004, at which time the province intends to have new rules in place.

TRCA strongly supports MOE's efforts at improving the management of water takings through enhanced stakeholder notification (particularly noting a role for conservation authority involvement), improved science and tools, strengthened requirements for monitoring and reporting, enhanced guidelines for PTTW reviews and the promoting of water use efficiency and conservation, as outlined in the White Paper. These steps are critical to overall water management, including source protection. They are also consistent with Authority Resolution #A289/02 which called for MOE to review the PTTW process, improve the water taking database, and work with conservation authority staff in ensuring that water use decisions could be made within a watershed context.

Awareness, Involvement, Notification

It has already been proposed that there be a requirement for those submitting a PTTW application to provide enhanced notification of interested parties through increased landowner contact and notice to municipalities and conservation authorities. At present TRCA has an informal agreement with Central Region MOE for the circulation of certain surface and groundwater PTTW.

While TRCA supports the role of conservation authority staff in reviewing and commenting on PTTW, based on available watershed information and direction provided within the overall watershed management plans, the provincial government should recognize that additional resources are required to fully support this service. These resource needs should be considered as part of the review of funding mechanisms for the source protection program.

MOE should consider efficient mechanisms for ensuring that PTTW for temporary uses (i.e. less than one year), agricultural irrigation and emergency situations, which are not currently posted, are considered within the context of the watershed-based source protection plan. In the interests of maintaining a database of actual water use in the watershed and improving water management decisions, MOE should consider mechanisms for requiring a "notice of withdrawal" by large water users, who may be exempt from the PTTW requirement (e.g. livestock watering).

Monitoring and Reporting

TRCA strongly supports the need for monitoring of actual water use, as an essential database for calculating water budgets and developing watershed plans, including source protection plans and water allocation strategies. Staff recommend that MOE's PTTW database be expanded to include fields for estimated actual use, actual use and total permitted volumes. The watershed-based source protection plan should be required to provide guidance on locations where more than a minimum monitoring and reporting frequency is required, based on the sensitivity of the system.

Guidelines for PTTW Applicants and Reviewers

The guidelines should require the application and review to be consistent with any recommendations of the watershed-based source protection plan and any established water allocation strategy.

The guidelines should address “grandfather clauses” (i.e. existing water takers in the province who have indefinite permits).

Water Use Efficiency and Conservation

TRCA supports MOE's commitment to promote best conservation practices by all water takers. MOE should consider making the preparation of a water conservation strategy a requirement of the watershed-based source protection plan, recognizing that not all water takers require PTTW. The source protection planning process would be a timely point at which to identify priority water conservation measures and targets for all water users and appropriate local delivery mechanisms (e.g. education programs) for implementation.

The province should support water management and industry associations and other groups who have taken the lead and could continue to take the lead in preparing guidelines and handbooks of best practices.

The province should investigate the opportunity to promote conservation by employing a water taking charge reduction as an incentive for good practice.

Water Taking Charges

TRCA is supportive of the proposal to apply charges to water takings, provided that the revenue generated is used to support the cost of the programs needed to ensure the protection of water supplies. We believe this “user pay” approach is fair and, if linked with volume of water use, can provide an incentive for conservation. Since 1997 many of TRCA's regional municipal partners have been funding our watershed management programs, in part, from their water rate revenue. By applying a charge to other water users, MOE will be effectively ensuring fairness by having all water users contribute to the cost of watershed management.

The water taking charges should consider use (consumptive vs. non-consumptive), source (surface/ground), applicant (i.e. individual, corporate, agricultural, municipal) and volume. Staff support the approach of introducing an application fee and then an annual fee, based on actual volume of water used. Such a process could be phased-in, using a nominal across-the-board fee, and then gradually increased as monitoring and reporting technology and adequate review of rate structures permits.

MOE should have consideration for individuals who hold multiple permits (e.g. golf courses may have four permits, allowing them to pump from groundwater, river or surficial ponds, depending on conditions). These users should not be penalized, as their current system allows them to employ best practices and conservation. Likewise, the water taking fee structure should include provision for fee reductions, based on efforts for best practice.

Non-consumptive uses (i.e. water is not removed from its source) should have a permit fee, but not an ongoing charge. Irrigation should be considered a consumptive use, due to losses through evapotranspiration.

TRCA staff will continue to participate in consultations regarding the water taking proposals, including the MOE-Conservation Ontario workshop to be held on March 22, 2004.

DETAILS OF WORK TO BE DONE

A number of “next steps” can be identified, in relation to continued input to the provincial government consultation on the White Paper, ongoing source protection program development and preparatory work in the CVC-TRCA-CLOCA watershed region:

- TRCA staff will attend a provincial-Conservation Ontario consultation on the proposed changes to the water taking program and water taking charges, on March 22, 2004.
- TRCA staff and several of its watershed advisory groups will be represented at the provincial government’s “Toronto” consultation on the White Paper, to be held March 23, 2004.
- TRCA staff will continue to participate in the Conservation Ontario technical team, in support of Conservation Ontario’s representatives on the provincial working groups and committees.
- The CVC-TRCA-CLOCA “Coordinating Committee” will continue to meet to develop a draft agreement on the administration within this watershed region and details around the Source Protection Planning Committee.
- TRCA staff will continue to develop terms of reference for the Duffins and Carruthers Creeks watersheds.

Report prepared by: Sonya Meek, extension 5253
For Information contact: Sonya Meek, extension 5253
Date: March 18, 2004

TO: Chair and Members of the Authority
Meeting #3/04, March 26, 2004

FROM: James W. Dillane, Director, Finance and Business Development, Adele
Freeman, Acting Director, Watershed Management Division

RE: CITY OF TORONTO LAND ADJACENT TO WOOD GREEN RAVINE

KEY ISSUE

Status of City of Toronto lands adjacent to Wood Green Ravine located east side of Manse Road, South of Lawrence Avenue East, City of Toronto (Toronto East Community Council)

RECOMMENDATION

WHEREAS the Toronto and Region Conservation Authority (TRCA) had identified the parcel adjacent to Wood Green Ravine, as part of the City of Toronto's potential Natural Heritage System for the new Official Plan;

WHEREAS the City of Toronto currently owns the said property;

WHEREAS the TRCA is currently working with adjacent landowners to achieve the intent of the Natural Heritage System on private lands;

WHEREAS TRCA staff are of the opinion that while these lands would not rank as a high priority for acquisition, but were they already in TRCA ownership, TRCA would not declare them as surplus as they do contribute to the limited natural heritage potential for the area;

THEREFORE the TRCA recommends that the City of Toronto reconsider maintaining the entire block in its ownership for the purposes of achieving the objectives of the Natural Heritage System and appropriate related park purposes.

BACKGROUND

At Authority meeting #2/04, held on February 27, 2004, Resolution #A62/04 was approved as follows:

THAT staff report back on the status of, and the Toronto and Region Conservation Authority's interest in, the City of Toronto owned land adjacent to the Wood Green Ravine;

AND FURTHER THAT the local councillor and the City of Toronto be so advised.

The subject property, identified as Part 2 on Attachment 1, is part of a 17.5 acre parcel of land owned by the City of Toronto, identified as Parts 1-6 on the attached sketch located between Coronation Drive and Lawrence Avenue East, east of Manse Road. For the purpose of providing a complete history of this location, we will be referring to the larger 17.5-acre parcel as the Lawrence/Manse property.

The Lawrence/Manse property was originally acquired for the Scarborough Transportation Corridor. It is vacant with no previous urban uses. The Lawrence/Manse property is bordered by existing townhouses on the west and apartments and single family uses on the east. It has a frontage of 78 metres on Lawrence Avenue East and 107 metres on Coronation Drive.

In 1997 the Lawrence/Manse property was redesignated by OPA 983 and rezoned by Scarborough By-law No. 25138. The northern portion of the Lawrence/Manse property (north of the dashed line on the attached sketch) was designated and zoned for single family housing, and the remainder was either Open Space or Park.

In June of 1999 the Lawrence/Manse property was put into the city's disposal process. The first step in this process is the circulation of the property to the city's agencies, boards, commissions and departments (ABCDs) to determine if there are any other city interests in the property. The site is then reviewed by two committees. The first is the Technical Working Committee (TWC) and the second is the Property Management Committee (PMC). The purpose of the TWC is to resolve any issues relating to the property such as encroachments and title problems. Where there is an interest from an ABCD, TWC determines if the use is appropriate, and where there is an interest from more than one ABCD, TWC determines which use is the more appropriate for the property, or will assist with negotiating a joint use of the property. TWC then makes a recommendation to PMC on what should be done with the property. This can include transferring jurisdiction of the property to an ABCD or declaring the property surplus to the city's requirements and selling it, or a combination of both. PMC reports and recommends disposal/use to Council through the Administration Committee and transfer of jurisdiction of the property to an ABCD to the Chief Administrative Officer. Housing First Initiative properties are put on hold while Shelter, Housing & Support undertakes the necessary due diligence work. Toronto and Region Conservation Authority (TRCA) staff have been a member of both committees since the beginning of 2000.

As a result of the circulation, Economic Development, Culture and Tourism (EDCT), Parks department indicated an interest in the southern portion of the Lawrence/Manse property and Shelter, Housing & Support indicated an interest in the northern portion. In 2000 the Toronto Police Services (TPS) also indicated an interest in the northern portion of the property. In early 2001 Ambulance Services indicated an interest in a joint use with TPS; EDCT Parks department indicated a requirement for a path on the eastern limit of the northern portion of the property for a connection from the open space to Lawrence Avenue East, and TRCA indicated a requirement to identify the northern limit of vegetation/valley on the open space parcel and provide a 10-metre buffer in accordance with TRCA policies. This limit was surveyed and now forms the limit between Parts 2 and 5.

In April 2001, the following were recommended by PMC:

- Part 1 - jurisdiction transferred to Toronto Police Service and Ambulance Services for the construction of a joint facility
- Part 2 - allocated for affordable housing purposes. The proposal to continue discussions with the Sisters of St. Joseph for the development of affordable housing be approved in principle, in order that the Sisters may proceed with a consultants feasibility study to assess the project, and Shelter, Housing & Support staff report back on results.

- Part 3 - retained for walkway purposes (access leading to Part 5 from Lawrence Avenue East).
- Part 4 - proposed public/private road. Toronto Police Services, Ambulance Services and Shelter, Housing & Support are to cooperate in the positioning of the proposed public/private road on Part 4.
- Part 5 - jurisdiction transferred to EDCT, Parks department for park purposes.
- Part 6 - retained for future road widening

The entire Lawrence/Manse property was identified in the City of Toronto Natural Heritage Study, Final Report, December 2001. The Natural Heritage Study was a partnership between TRCA and the City of Toronto and was conducted to provide a preliminary framework in support of the natural heritage policies in the new City of Toronto Official Plan, adopted by Council on November 28, 2002. The Natural Heritage Study used a comprehensive evaluation system to analyze existing habitat conditions and model a potential future habitat scenario. In the Natural Heritage Study, the subject property under existing conditions contains a combination of medium to low quality meadow and forest habitat. The forest habitat is located on the eastern portion of the subject property. Under the modeled scenario, the subject property is targeted to become medium quality forest habitat. That is, if the subject property were to transition from meadow and forest to entirely forest over a period of time, the property would provide a net gain to the city's terrestrial natural heritage system. The subject property is included in the TRCA's Draft Natural Heritage Strategy.

Not all of the existing natural heritage features identified in the Natural Heritage Study are included in the new City of Toronto Official Plan (OP) Natural Heritage System. In this case, the OP does not include the subject property in the Natural Heritage System. Rather, the subject property is included in the "Neighborhoods" land use category. Policy 4.1 of the Official Plan identifies Neighborhoods as "...physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and interspersed walk-up apartments. Parks, local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in Neighbourhoods." The subject property does, however, directly abut a relatively wide "green corridor" extending south to the waterfront that is included in the OP's Natural Heritage System. This "green corridor" crosses three watercourses and includes the Area of Natural and Scientific Interest associated with East Point Park.

Council of the City of Toronto, at its meeting held on July 22, 23 and 24, 2003, endorsed conducting a feasibility study with respect to implementing an affordable ownership demonstration project on Part 2 and report back on the results. Shelter, Housing and Support have indicated that they anticipate reporting back on the results of the study to Council in April 2004. The subject property has not been declared surplus by the city.

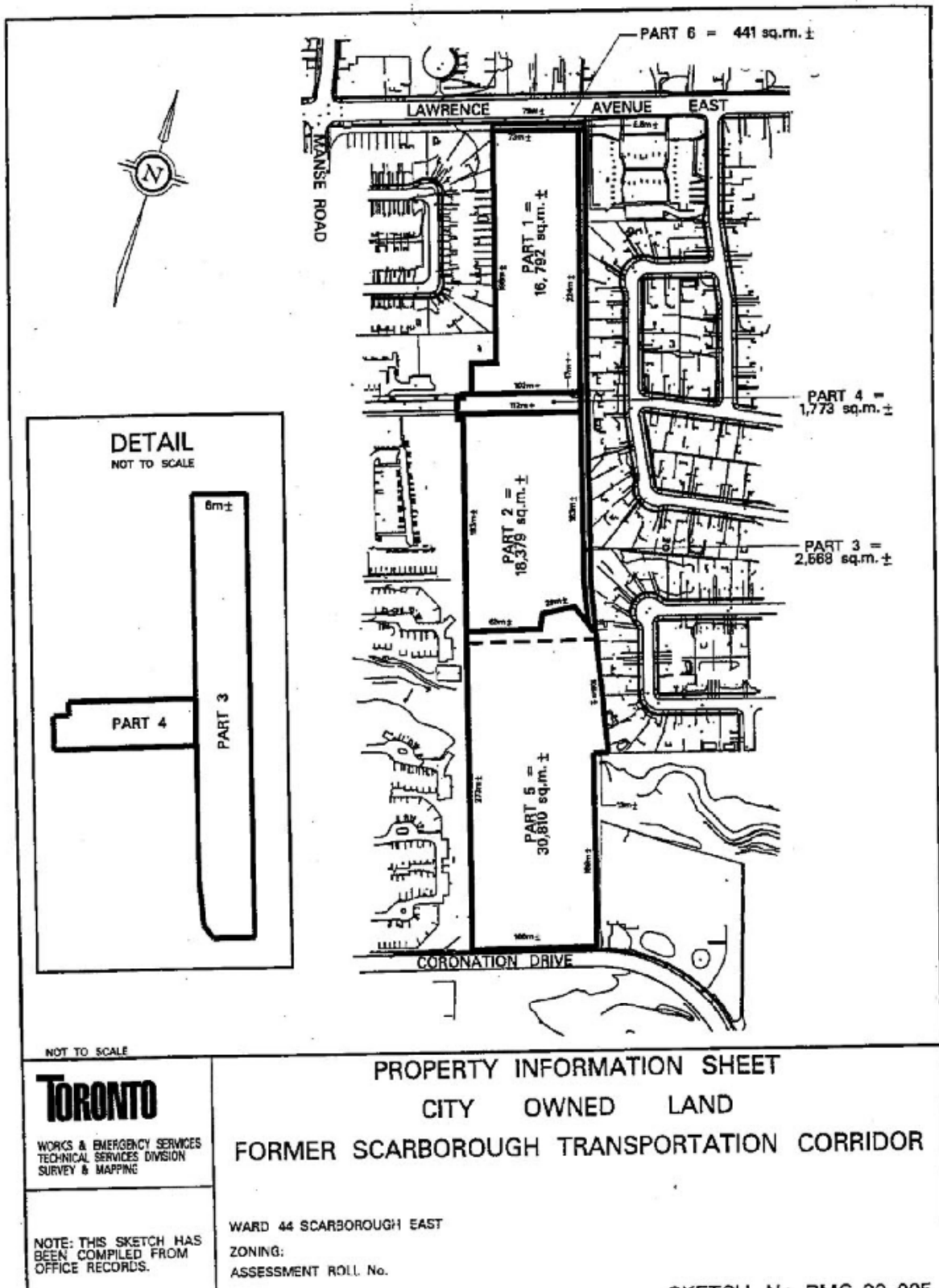
RATIONALE

The City of Toronto had its Natural Heritage Study completed which identified the natural heritage feature of the subject property in November of 2002 when the city adopted its new OP. The city made the decision to designate the subject property as residential rather than part of the natural heritage system. There is no new natural heritage information available at this time for the city to review if they were requested to reconsider its designation of the subject property.

**Report prepared by: Mike Fenning, extension 5223 and Steve Heuchert, extension 5311
For Information contact: Mike Fenning, extension 5223 or Steve Heuchert, extension 5311**

Date: March 02, 2004

Attachments: 1



TO: Chair and Members of the Authority
Meeting #3/04, March 26, 2004

FROM: Adele Freeman, Acting Director, Watershed Management Division

RE: TORONTO WATERFRONT REVITALIZATION CORPORATION - DELIVERY AGREEMENTS FOR THE PORT UNION WATERFRONT IMPROVEMENTS PROJECT AND THE MIMICO WATERFRONT LINEAR PARK PROJECT

KEY ISSUE

To authorize Toronto and Region Conservation Authority (TRCA) officials to reimburse the City of Toronto for expenditures incurred on these projects prior to signing the Toronto Waterfront Revitalization Corporation (TWRC) Delivery Agreements, subject to receipt of these funds from the TWRC.

RECOMMENDATION

WHEREAS the Toronto Waterfront Revitalization Corporation (TWRC) included within its Development Plan and Business Strategy (October 17, 2002) \$25 million for Strategic Projects outside the Central Waterfront area, \$5 million within Year 1 (2003/04) for activities and expenditures for the Port Union and Mimico projects;

WHEREAS Toronto and Region Conservation Authority (TRCA) has entered into Delivery Agreements with the TWRC to undertake the Port Union Waterfront Improvement Project (\$16 million) and Mimico Waterfront Linear Park Project (\$6.5 million);

AND WHEREAS the City of Toronto, prior to and including 2003, had previously provided funds for the Port Union (\$2 million) and Mimico (\$270,000) projects through the Toronto Waterfront Capital Budget;

THEREFORE LET IT BE RESOLVED THAT TRCA officials be authorized to reimburse the City of Toronto up to \$2 million for the Port Union Waterfront Improvements Project, subject to full payment from the TWRC;

AND FURTHER THAT TRCA officials be authorized to reimburse the City of Toronto up to \$270,000 for the Mimico Waterfront Linear Park Project, subject to full payment from the TWRC.

BACKGROUND

At Authority meeting #9/03, held on November 28, 2003, Res #A245/03 was adopted authorizing TRCA officials to execute the delivery agreements for the Port Union Waterfront Improvement and the Mimico Waterfront Linear Park Projects.

The approval by City of Toronto Council (April 2003) for the TWRC 2003/2004 budget included \$4 million (Port Union, \$2 million for pre-delivery agreement costs) and \$770,000 (Mimico, \$270,000 for pre-delivery agreement costs). The City of Toronto's portion is 1/3 as set out in the tri-party contribution agreement. The TWRC has confirmed that the City of Toronto has provided its full 1/3 contribution for the budget amounts for 2003/2004.

The TRCA has invoiced the TWRC for all expenditures incurred on these strategic projects since their inception. Invoices were prepared for the following time periods: (1) project inception through to July 18, 2001; (2) July 19, 2001 through to March 31, 2003; and (3) April 1, 2003 through to December 31, 2003. Invoice period 1 is under consideration as these funds were expended prior to any contribution agreement being in place. The TWRC has confirmed that cheques for invoice periods 2 and 3 will be provided to the TRCA.

RATIONALE

The City of Toronto has paid \$2 million (Port Union) and \$270,000 (Mimico) as well as committed to their 1/3 share of the Contribution Agreement for the Port Union Project (\$4 million) and Mimico Project (\$770,000). Through discussions with the City of Toronto Waterfront Secretariat, there was agreement that expenditures incurred on these projects prior to signing of the Delivery Agreements would be included within the 2003/04 funding envelope. The City of Toronto, through the Toronto Waterfront Secretariat, has set up receivables in the amount of \$2 million for Port Union and \$270,000 for the Mimico project, to be reimbursed by TRCA.

FINANCIAL DETAILS

The repayment of these funds to the City of Toronto is subject to receipt of monies from the TWRC, up to \$2 million (Port Union) and \$270,000 (Mimico). TRCA's obligation to reimburse the city is limited only to the actual amounts received from TWRC up to the limits identified.

Report prepared by: Nancy Gaffney, extension 5313 and Larry Field, extension 5243
For Information contact: Nancy Gaffney, extension 5313
Date: March 15, 2004

TO: Chair and Members of the Authority
Meeting #3/04, March 26, 2004

FROM: Brian Denney, Chief Administrative Officer

RE: CITY OF TORONTO'S ECONOMIC DEVELOPMENT SECTOR INITIATIVE PROGRAM

KEY ISSUE

Funding Application

RECOMMENDATION

THAT Toronto and Region Conservation Authority (TRCA) apply to the City of Toronto's Economic Development Sector Initiatives Program (EDSIP) in support of The Living City programs.

BACKGROUND

The goal of the City of Toronto's Economic Development Sector Initiatives Program (EDSIP) is to provide seed money for initiation or expansion of projects which are expected to yield substantial long-term economic development benefits for the City of Toronto, by contributing to the local economy through economic growth and job creation.

Toronto and Region Conservation Authority (TRCA) staff have prepared an application to the City of Toronto's Economic Development department to receive funding from the EDSIP program. Funding received will be used to support market transformation projects of The Living City Centre, such as the Mayors' Megawatt Challenge, the Home Energy Clinic, Green Buildings (commercial and residential), Sustainable Schools, Greening Health Care and a program to advance the adoption of pollution prevention practices in small- to medium-sized manufacturing enterprises in the Toronto region, in conjunction with the Ontario Centre for Environmental Technology Advancement (OCETA).

RATIONALE

Funding requested from EDSIP will be used for seed money for expansion projects that will yield economic benefits for the City of Toronto by contributing to sustainable development. These benefits are consistent with the goal of EDSIP. The Living City programs are also in line with the City of Toronto's strategy for urban/infrastructure development, pollution prevention and energy conservation.

FINANCIAL DETAILS

The amount requested is \$60,000 for the 2004 fiscal year.

Report prepared by: Anne Reesor, extension 5202
For Information contact: Andrew Bowerbank, extension 5343
Date: March 17, 2004