



THE TORONTO AND REGION CONSERVATION AUTHORITY

## INDEX TO

### AUTHORITY MEETING #4/05

Friday, May 27, 2005

MINUTES	
Minutes of Meeting #3/05, held on April 29, 2005	140
BLACK CREEK PIONEER VILLAGE	
Cultural Tourism Marketing Grant	140
OAK RIDGES CORRIDOR PARK MANAGEMENT PLAN	
Consultant Selection	147
OAK RIDGES MORAINÉ FOUNDATION	149
LOWER DON RIVER WEST REMEDIAL FLOOD PROTECTION PROJECT	
Component 1 - CNR and GO Transit	161
Component 1 - Hydro One	159
Component 1 - Totten Sims Hubicki	157
NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT 2001-2005	
Flood Plain and Conservation Component, Carruthers Creek Watershed	
William Brown. CFN 36473	165
Flood Plain and Conservation Component, Don River Watershed	
Reena Foundation. CFN 36461	164
Flood Plain and Conservation Component, Duffins Creek Watershed	
Claremont Estates Ontario Inc.. CFN 36462	164
Flood Plain and Conservation Component, Humber River Watershed	
Manuel and Rosa Ferreira. CFN 36465	163
REQUEST FOR SALE OF TRCA-OWNED LAND	
Adjacent to 3 Broadmead Avenue. Donald Gill. CFN 34117	167
Adjacent to 5 Eldorado Court. Mr. and Mrs. Tsai. CFN 34115	168
Adjacent to 1 Jennifer Court. Armando and Rafella Cosentino. CFN 25778	166
Adjacent to 2 Pineway Boulevard. Ivor Oram. CFN 34118	170

TOWN OF WHITCHURCH-STOUFFVILLE	
Request for a Permanent Easement for a Storm Sewer and Outfall	
Duffins Creek Watershed, Town of Whitchurch-Stouffville	
CFN 36302	171
2005 CONTRACTS FOR YORK-PEEL-DURHAM-TORONTO GROUNDWATER MANAGEMENT STUDY	172
ESTATE OF POMPEA ZAERA FERZOCO AND CITY OF TORONTO ONTARIO MUNICIPAL BOARD HEARING	173
LAKE ONTARIO RESOURCES IMPROVEMENT OPPORTUNITY ASSESSMENT	173
ONTARIO REGULATION 158	174
AWARD OF CONTRACT FOR SWIMMING POOL TENDER NO. CA05-002	174
FEDERAL FISHERIES ACT	
Fish Habitat Management Agreement Renewal	175
TEAPOT LAKE	
City of Brampton	175
PINE CREEK AND DUNBARTON CREEK DIGITAL FLOODLINE MAPPING	175
TOP OF RIDGE AND TOWN OF CALEDON	
Ontario Municipal Board Hearing	



THE TORONTO AND REGION CONSERVATION AUTHORITY

**MEETING OF THE AUTHORITY #4/05  
May 27, 2005**

The Authority Meeting #4/05, was held in the South Theatre, Black Creek Pioneer Village , on Friday, May 27, 2005 . The Chair Dick O'Brien , called the meeting to order at 10:14 a.m.

**PRESENT**

Maria Augimeri	Member
Frank Dale	Member
Michael Di Biase	Member
Bill Fisch	Member
Rob Ford	Member
David Gurin	Member
Suzan Hall	Member
Cliff Jenkins	Member
Glenn Mason	Member
Peter Milczyn	Member
Elaine Moore	Member
Dick O'Brien	Chair
Bill O'Donnell	Member
Linda Pabst	Member
Dave Ryan	Member
Andrew Schulz	Member
John Sprovieri	Member
Nancy Stewart	Member

**REGRETS**

Bas Balkissoon	Member
David Barrow	Member
Gay Cowbourne	Member
Glenn De Baeremaeker	Member
Pamela Gough	Member
Colleen Jordan	Member
Gerri Lynn O'Connor	Vice Chair
Shelley Petrie	Member
Maja Prentice	Member
Michael Thompson	Member

**RES.#A95/05 - MINUTES**

Moved by: Peter Milczyn  
Seconded by: Dave Ryan

**THAT the Minutes of Meeting #3/05, held on April 29, 2005, be approved.**

**CARRIED**

---

**SECTION I - ITEMS FOR AUTHORITY ACTION**

**RES.#A96/05 - BLACK CREEK PIONEER VILLAGE**

Cultural Tourism Marketing Grant. Approval of Audited Schedule of Revenue and Expenditures for the 2004 Cultural Tourism Marketing Grant from the Ministry of Culture.

Moved by: Suzan Hall  
Seconded by: Frank Dale

**THAT the audited "Schedule of Revenue and Expenditures" for Black Creek Pioneer Village's 2004 SARS Recovery project be approved.**

**CARRIED**

**BACKGROUND**

At Authority Meeting #4/04, held on April 30, 2004 the Resolution #A99/04 was approved, authorizing the Toronto and Region Conservation Authority (TRCA) to enter into an agreement with the Ontario Ministry of Culture to receive funding in the amount of \$103,500 to promote Black Creek Pioneer Village (BCPV) through various marketing initiatives as set out in the agreement.

The terms of the agreement included the submission of a final report to the ministry within 2 months of completing the project, and submission of a final board-approved audited financial statement which includes a separate schedule for the audit of revenues and expenditures relating to the project.

The BCPV project included marketing initiatives to promote the following products: Great Gardens, two summer music festivals (The Metis Arts Festival and the Celtic Music Festival), and The Underground Railroad: Next Stop Freedom! In addition to the Ministry of Culture, major funding partners included the Herb Society of America Southern Ontario Unit, the Metis Arts Collective and Parks Canada. Funds raised previously through donations to BCPV were also allocated to the project.

Due to late approval of this project, the full funding could not be spent within the project time frame set by the ministry. With the approval of the financial statement all terms and conditions of the agreement will have been met.

**Report prepared by: Marty Brent, extension 5403**

**For Information contact: Marty Brent, extension 5403, Rocco Sgambelluri, extension 5232**

**Date: May 09, 2005**

**Attachments: 1**

Attachment 1

**Toronto and Region Conservation Authority  
Cultural Tourism Marketing Fund Grant for  
Black Creek Pioneer Village  
Schedule of Revenue and Expenditures  
December 31, 2004**

**Grant Thornton** 

## Contents

	<u>Page</u>
Auditors' Report	1
Schedule of Revenue and Expenditures	2
Notes to the Schedule of Revenue and Expenditures	3

Grant Thornton LLP  
Chartered Accountants  
Management Consultants

## Auditors' Report

To the Minister of Culture:

We have audited the schedule of revenue and expenditures for the Cultural Tourism Marketing Fund Grant (the "Grant") for **Toronto and Region Conservation Authority's Black Creek Pioneer Village** for the period from January 1, 2004 to December 31, 2004 as determined in accordance with the agreement dated April 16, 2004 between the **Toronto and Region Conservation Authority (Black Creek Pioneer Village)** and Her Majesty the Queen in Right of Ontario as represented by the Minister of Culture. This schedule is the responsibility of the **Toronto and Region Conservation Authority**. Our responsibility is to express an opinion on this schedule of revenue and expenditures based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the schedule is free of material misstatements. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the schedule. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall presentation of the schedule.

In our opinion, this schedule presents fairly, in all material respects, the revenue and expenditures of the Grant for the year ended December 31, 2004 in accordance with the agreement dated April 16, 2004 between the **Toronto and Region Conservation Authority (Black Creek Pioneer Village)** and Her Majesty the Queen in Right of Ontario as represented by the Minister of Culture.

Markham, Canada  
April 25, 2005

Chartered Accountants

15 Allstate Parkway  
Suite 200  
Markham, Ontario  
L3R 5B4  
T (416) 366-0100  
F (905) 475-8906  
E [Markham@GrantThornton.ca](mailto:Markham@GrantThornton.ca)  
W [www.GrantThornton.ca](http://www.GrantThornton.ca)

Canadian Member of Grant Thornton International

1

---

**Toronto and Region Conservation Authority  
Cultural Tourism Marketing Fund Grant for  
Black Creek Pioneer Village  
Schedule of Revenue and Expenditures**

Year Ended December 31, 2004

---

<b>Revenue</b>	
Cultural Tourism Marketing Fund grant - paid	\$ 77,625
Cultural Tourism Marketing Fund grant – accrued (Note 2)	164
Metis Arts Collective	8,150
Herb Society of America, Southern Ontario Unit	4,000
Green Thumbs Symposium fees	1,778
Parks Canada	5,000
Conservation Foundation of Greater Toronto	7,500
Interest	62
	<u>104,279</u>
<b>Expenditures</b>	
Sensational Sounds Promotion	
Signage	705
Promotional material distribution	420
Advertising	54,430
Printing	4,401
Media relations	4,445
	<u>64,401</u>
Great Gardens Promotion	
Signage	343
Meetings and functions	1,068
Advertising	7,242
Postage	516
Printing	4,234
Media relations	4,445
	<u>17,848</u>
Underground Railroad	
Signage	389
Promotional material distribution	4,369
Advertising	1,839
Postage	1,624
Printing	8,886
Media relations	4,445
	<u>21,552</u>
	<u>103,801</u>
<b>Excess of revenue over expenditures</b>	<b>\$ 478</b>

---

See accompanying notes to the schedule of revenue and expenditures.

---

**Toronto and Region Conservation Authority Cultural Tourism  
Marketing Fund Grant for Black Creek Pioneer Village  
Notes to the Schedule of Revenue and Expenditures  
December 31, 2004**

---

**1. Summary of significant accounting policies**

The schedule of revenue and expenditures of the Authority are prepared by management in accordance with generally accepted accounting principles for organizations operating in the local government sector as recommended by the Public Sector Accounting Board of The Canadian Institute of Chartered Accountants. Significant aspects of the accounting policies adopted by the Authority are as follows:

**Basis of accounting**

Revenue and expenditures are recorded on the accrual basis, whereby they are reflected in the accounts in the year in which they have been earned and incurred, respectively, whether or not such transactions have been settled by the receipt or payment of money.

**Government transfers**

Government transfers are recognized in the schedule of revenue and expenditures as revenue in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met and reasonable estimates of the amounts can be made.

**Use of estimates**

The preparation of the schedule of revenue and expenditures requires management to make estimates and assumptions that affect the reported amounts of revenue and expenditures during the year. Actual results could differ from those estimates.

---

**2. Cultural Tourism Marketing Fund grant – accrued**

The Cultural Tourism Marketing fund grant accrual has been calculated on the basis of 75% of actual expenditures, less advances and interest earned.

**RES.#A97/05** -

**OAK RIDGES CORRIDOR PARK MANAGEMENT PLAN**

Consultant Selection. Consultant selection for the preparation of the Oak Ridges Corridor Park Management Plan.

Moved by: Suzan Hall  
Seconded by: Frank Dale

**THAT a contract for the preparation of the Oak Ridges Corridor Park Management Plan be awarded to AMEC Earth and Environmental, at a total cost not to exceed \$126,450, plus applicable taxes, it being the proposal that best meets Toronto and Region Conservation Authority (TRCA) specifications;**

**THAT a contingency budget of \$20,000 be authorized to cover unforeseen tasks and associated costs;**

**AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect hereto, including the obtaining of necessary approvals and the execution of any documents.**

**CARRIED**

**BACKGROUND**

The Oak Ridges Corridor Park is an area approximately 400 ha (1,000 acres) in size, generally located between Bathurst Street and Bayview Avenue, north of Jefferson Sideroad, and south of the community of Oak Ridges, in the Town of Richmond Hill. The Province of Ontario has requested that TRCA act as their agent in the development of a management plan for the property, recognizing TRCA's proven ability to work with public and private stakeholders to achieve ecological restoration objectives within its area of jurisdiction.

Consequently, at Authority Meeting #1/05, held on February 25, 2005, Resolution #A6/05 was approved, which states, in part:

*THAT staff be directed to finalize a management agreement with the Province of Ontario and to facilitate the implementation of an environmental management plan for the Oak Ridges Moraine Corridor within the Town of Richmond Hill;...*

*AND FURTHER THAT staff report back to the Authority on the status of the development of the management plan and its implementation.*

A Request for Proposal (RFP) Terms of Reference was prepared and sent to the following companies:

- MBTW Group
- Landplan Cooperative Ltd.
- AMEC Earth and Environmental, Envision-The Hough Group
- PMA Landscape Architects Ltd.
- EDA Collaborative Inc.
- Schollen & Company Inc.
- PMG Design

A site visit was hosted by TRCA on April 13, 2005 where questions about the property and the RFP were answered.

All of the invited consultants submitted a proposal except for PMG Design.

A Consultant Selection Committee was established to review the proposals. Committee members included representatives from TRCA, the Town of Richmond Hill and the Ministry of Municipal Affairs and Housing.

## **RATIONALE**

The Consultant Selection Committee evaluated the proposals based on the following criteria:

- demonstrated qualifications of the team and relevant experience;
- comprehensiveness of the team to cover all aspects described in the Terms of Reference;
- project methodology, schedule and understanding of the project objectives;
- study approach and innovative thinking;
- public consultation;
- budget.

AMEC and Landplan Cooperative were short listed and invited to make a verbal presentation to the Consultant Selection Committee. The presentations elaborated on their public consultation methodology, trail master planning and design, proposal concepts and costs.

The Consultant Selection Committee chose the proposal submitted by AMEC Earth and Environmental as the one which best meets the needs specified in the Request of Proposal Terms of Reference.

Their proposal clearly articulated:

- their demonstrated understanding of the project;
- familiarity with the land and project history;
- technical expertise of the team with members representing the major subject areas including park planning, hydrogeology, ecology, landscape, architecture, culture and heritage, economic evaluation and public consultation;
- overall quality of the proposal and interview presentation;
- budget within the anticipated range.

The budgets submitted by each consulting team are as follows:

EDA Collaborative Inc.	\$244,872.00, plus GST
PMA Landscape Architects Ltd.	\$231,500.00, plus GST
Schollen & Company Inc.	\$184,125.50, plus GST
MBTW Group	\$160,379.75, plus GST
Landplan Cooperative Ltd.	\$130,395.00, plus GST
AMEC Earth and Environmental, Envision-The Hough Group	\$126,450.00, plus GST
PMG Design	No quote received.

Staff recommends that the contract for the preparation of the Oak Ridges Corridor Management Plan be awarded to AMEC Earth and Environmental at an upset cost of \$126,450, plus applicable taxes.

#### **FINANCIAL DETAILS**

Funding to prepare the management plan will be provided by the owners of the Richmond Hill land. The Oak Ridges Moraine Foundation will also be requested to contribute to the total cost of preparing the management plan.

Report prepared by: Gary Wilkins, extension 5211  
For Information contact: Gary Wilkins, extension 5211  
Date: May 19, 2005

---

**RES.#A98/05 - OAK RIDGES MORAINÉ FOUNDATION**  
Toronto and Region Conservation Authority to act as the lead agency in a multi-year, multi-partner proposal to the Oak Ridges Moraine Foundation for projects on the Oak Ridges Moraine in the headwaters of the Humber River and Duffins Creek.

Moved by: Suzan Hall  
Seconded by: Frank Dale

**WHEREAS** The Toronto and Region Conservation Authority (TRCA) has established a leadership role in the management of headwater streams on the Oak Ridges Moraine through the development of watershed plans, conservation land plans, the draft Terrestrial Natural Heritage System Strategy, and watershed regeneration and stewardship programs in the headwaters of the Humber River and the Duffins Creek;

**WHEREAS** the Oak Ridges Moraine Foundation (ORMF) has requested TRCA to take the lead in developing and implementing a multi-year, multi-partner funding proposal for the headwaters of the Humber River and Duffins Creek;

**WHEREAS** the majority of the lands identified within the Conservation Priority Areas (CPA) 2 and 11 fall within the jurisdiction of TRCA;

**THEREFORE LET IT BE RESOLVED THAT**, subject to satisfactory terms and conditions, TRCA accept the lead role for developing and overseeing the delivery of funding grants from the ORMF for CPA 2 and CPA 11;

**THAT** staff be directed to meet with the partners identified by the ORMF to develop the funding proposals;

**AND FURTHER THAT** staff bring forward recommendations to the Authority for the funding proposal at the earliest opportunity.

**CARRIED**

## **BACKGROUND**

The Oak Ridges Moraine (ORM) is a prominent geological landform located just north of the City of Toronto, extending 160 kilometres from the Trent River to the Niagara Escarpment. Rivers and streams originating on the Oak Ridges Moraine drain south to Lake Ontario and north into Georgian Bay, Lake Simcoe and the Trent River. The unique concentration of environmental, geological and hydrological features makes the ecosystem of the Oak Ridges Moraine vital to southern Ontario.

In 2001, the Ontario government consulted widely on the future of the ORM and the complex land use issues involved. The outcome was a package of strategies, including legislation, regulation and the creation of the ORMF. The Oak Ridges Moraine Protection Act was passed on May 17, 2001, followed by the Oak Ridges Moraine Conservation Act on December 13, 2001. The Oak Ridges Moraine Conservation Plan was released in April, 2002.

On March 11, 2002, the ORMF was created with the core purpose of providing support and encouragement for activities that preserve, protect and restore the environmental integrity of the ORM and support a trail along it. An initial grant of \$15 million from the Province of Ontario is used to support ORMF activities.

The ORMF provides funding to others and offers leadership and coordination for ORM-wide activities, where appropriate. The ORMF sees itself as a convener, bringing people and interests together to identify common ground, and as a funding partner. Activities that are consistent with the ORMF core purpose and objects, and with the Oak Ridges Moraine Conservation Plan are encouraged by the ORMF.

The ORMF has identified the following five program areas that are eligible for ORMF funding: Securement, Stewardship, Education and Public Understanding, Research, and Oak Ridges Trail System.

Assessment criteria for each of the five program areas are identified within the ORMF's strategic documents. For each of the program areas, priority will be given to applications that provide a public benefit, reflect a strategic approach to maintaining, protecting and restoring the environmental integrity of the ORM, produce tangible on-the-ground results and fulfill more than one objective.

In consultation with stakeholders across the ORM (including TRCA), the ORMF has identified three priority areas across the ORM for targeted multi-year major partner funding. Depending upon the projects submitted and matching funds/resources from other partners, each of these special project areas may be eligible for large, multi-year grants. Both public and private land will be eligible for projects. All CPA's are illustrated on Attachment 1.

TRCA has been identified by the ORMF as the “lead agency” for the funding applications and project delivery in CPA 2 and CPA 11. CPA 2 (Centreville Creek) is located in the upper Humber River in the Town of Caledon, while CPA 11 (Glen Major) is centered in the headwaters of Duffins Creek in the Township of Uxbridge. It is staff's intention to have these new projects build upon our accomplishments in the upper Humber River and Duffins Creek in order to maximize the benefits to the ORM and the two watersheds. Ms. Kate Morrison, ORM Research Officer working out of the Central Lake Ontario Conservation Authority office in Oshawa, will be assisting the CPA partners with the preparation of the ORMF funding proposals. Early indications suggest that the ORMF may be requested to provide between \$500,000 to \$1 million each to CPA 2 and CPA 11 projects over three years.

**Total CPA 2 Area:** 10,974 ha or 26, 337 acres

**Total number of lots:** 205 lots

**Public Lands Include :**

- Ballycroy Forest Tract – 123 ha (TRCA),
- Simcoe County Forest Tract – 151 ha (Simcoe County),
- Rowely Forest Tract – 20 ha (TRCA),
- Glen Haffy Forest and Wildlife Area – 458 ha (TRCA),
- Palgrave Forest and Wildlife Area – 49 ha (TRCA),
- Kelly Forest Tract – 80 ha (TRCA),
- Palgrave-Kelly Forest and Wildlife Area – 228 ha (TRCA),
- Palgrave-Gibson Lake Forest and Wildlife Area – 86 ha (TRCA),
- MacArthur Forest Tract – 39 ha (TRCA),
- Blair Property – 19 ha (OHF),
- Bolton Resource Management Tract – 430 ha (TRCA),
- Argent Forest Tract – 41 ha (TRCA),
- Peel Forest Tract – 13 ha (TRCA),
- Albion Hills Conservation Area – 506 ha (TRCA),
- Willoughby Property – 38 ha (FON)

**Total Public Land :** 1810 ha or 4344 acres

**Potential Partners to be involved :** Toronto and Region Conservation Authority, Nottawasaga Valley Conservation Authority, Town of Caledon, Adjala Tosorontio Township, Town of Mono, Region of Peel, Counties of Dufferin and Simcoe, Halton-Peel, and Dufferin-South Simcoe Stewardship Councils, Ontario Nature, Wetland Habitat Fund, Trout Unlimited, Ducks Unlimited and the Oak Ridges Moraine Land Trust

**Number of Known Stewardship Projects to Date :** 2

TRCA has a significant amount of background material to help prioritize projects including Legacy: A Strategy for a Healthy Humber, draft Centreville Creek subwatershed plan, Fisheries Management Plan, Habitat Implementation Plan and the draft Terrestrial Natural Heritage System Strategy. The Humber River watershed has historically had many residents, groups and agencies participating in watershed management projects in cooperation with TRCA. The Humber Watershed Alliance is one such active group. Both past partnerships and technical information will greatly assist in this project.

**Total CPA 11 Area** : 14,945 ha or 35,868 acres

**Total number of lots:** 250 lots

**Public Lands Include:**

- Pickering Lands -- 2,111 ha (Federal)
- Goodwood Resource Tract - 119 ha (TRCA)
- Walker Woods - 426 ha (TRCA)
- Secord Tract - 91 ha (TRCA)
- Clubine Tract - 37 ha (TRCA)
- Durham Regional Agreement Forest -602 ha (Durham Region)
- Township of Uxbridge's Coppin's Corners Property - 67 ha (Township of Uxbridge)
- Walker Property - 70 ha (OHF)
- Purvis Property - 7 ha (ORMLT)
- Glen Major Resource Management Tract - 653 ha (TRCA)
- Timber Brothers - 43 ha (TRCA)

**Total Public Land:** 4,226 ha or 10,142 acres

**Potential Partners to be involved:** Central Lake Ontario Conservation Authority, Lake Simcoe Region Conservation Authority, Town of Markham, City of Pickering, Townships of Uxbridge and Scugog, Town of Whitby, Durham Land Stewardship Council, York Environmental Stewardship Council, Durham Region and the Oak Ridges Moraine Land Trust.

**Number of Known Stewardship Projects to Date** : 5

**Number of Known Conservation Easements** : 13

TRCA has completed a number of strategic environmental planning studies for CPA 11 including the watershed plan, headwaters management plan (conservation lands) and the fisheries plan in 2003. Significant progress in the implementation of these management plans has been achieved in the headwaters of Duffins Creek, through capital funding support from the Regional Municipality of Durham and the 2002 Ministry of Natural Resources Living Legacy projects. More recently, TRCA's draft Terrestrial Natural Heritage System Strategy and habitat implementation strategies have assisted by providing site specific directions for the regeneration of private and public lands on the ORM.

**DETAILS OF WORK TO BE DONE**

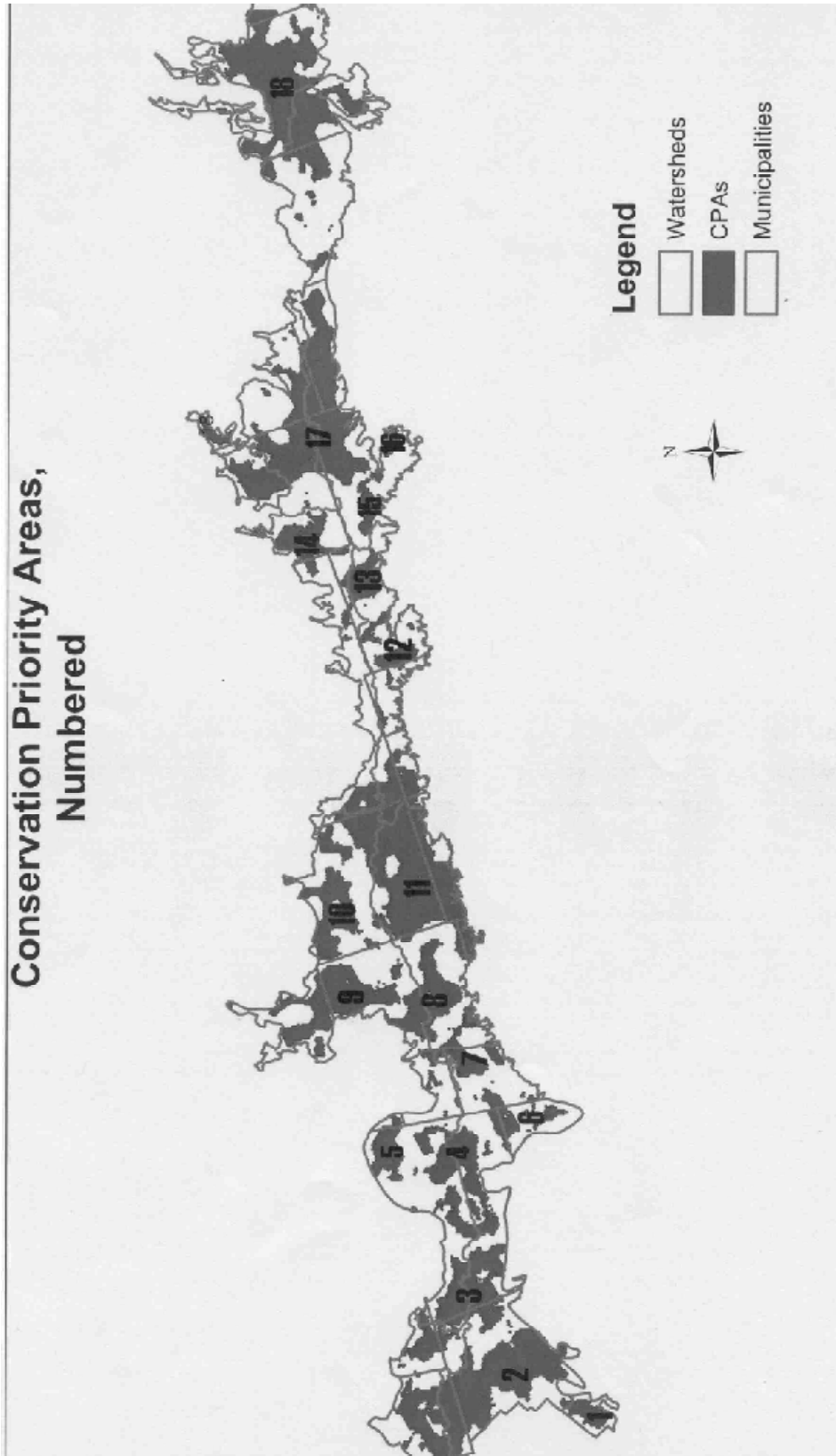
TRCA staff will continue to work with the ORMF staff and our CPA 2 and CPA 11 partners to prepare the funding proposals and to initiate the design and implementation procedures for the proposed programs and projects. Since the boundaries of CPA 2 and CPA 11 extend beyond the jurisdiction of TRCA, staff will need to give careful consideration to the logistics that arise from the required partnerships. Furthermore, the multi-year funding horizon provided by the ORMF requires flexibility in the delivery mechanisms and program designs. For example, the implementation of fish and wildlife projects on private lands will be developed as opportunities are identified by the land owner contact programs initiated in 2005. Through the Habitat Implementation Plan (HIP) developed for the Humber River and Duffins Creek, staff has the ability to respond quickly to these opportunities.

## **FINANCIAL DETAILS**

ORMF requires matching funding to be eligible for grants. Opportunities will be explored to secure funding from municipalities and other partners as well as in-kind salaries and other resources, as part of the required matching funding. Staff will coordinate financial arrangements with The Conservation Foundation of Greater Toronto and the various CPA partners.

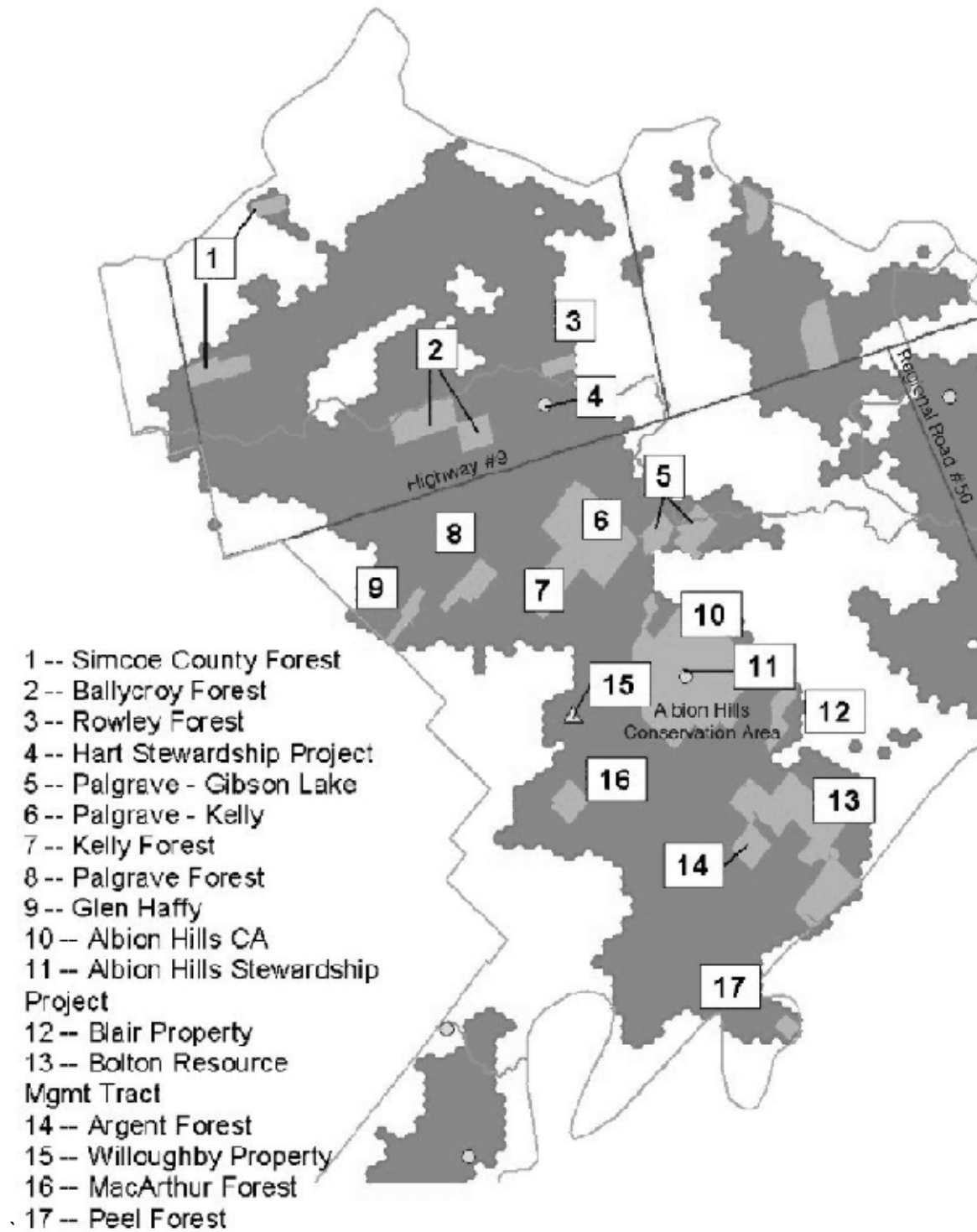
TRCA staff will, in consultation with the ORMF, develop formal agreements for this funding and will identify specific roles for TRCA as the lead agency. TRCA staff and legal counsel, if required, will determine the administrative costs of the project and budget for these as part of the total costs.

**Report prepared by: Gary Wilkins, extension 5211 and Gary Bowen, extension 5385**  
**For Information contact: Gary Wilkins, extension 5211 or Gary Bowen, extension 5385**  
**Date: May 18, 2005**  
**Attachments: 3**



Attachment 2

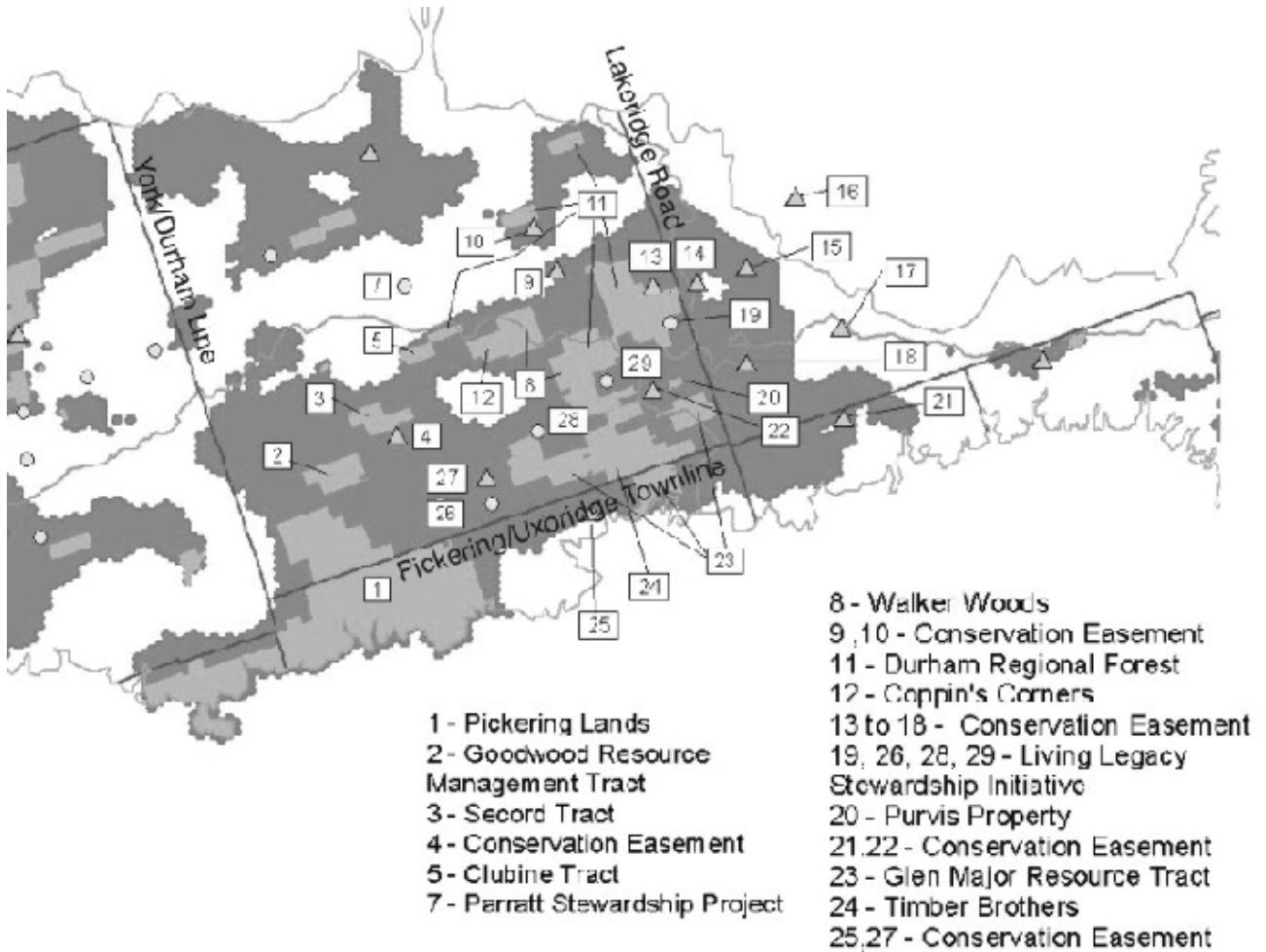
Location of Public Lands, Conservation Easements and Stewardship Projects in CPA 2



**Attachment 3**

**Location of Public Lands, Conservation Easements and Stewardship Projects in CPA 11**

Boundaries for CPA 11 within the Duffins Creek watershed are generally the York-Durham Road to the west, Lake Ridge Road to the east, the watershed boundary to the north and the southern boundary of the Oak Ridges Moraine.



**RES.#A99/05 -**

**LOWER DON RIVER WEST REMEDIAL FLOOD PROTECTION PROJECT**

Component 1 - Totten Sims Hubicki. Background information on the selection process.

Moved by: Suzan Hall  
Seconded by: Frank Dale

**THAT the Authority be advised that the consultant team led by Totten Sims Hubicki and Earth Tech has been awarded a contract, pursuant to the works outlined in Resolution #A31/05, at an upset fixed fee cost of \$525,587.21 (GST inclusive) plus an anticipated non-fixed fee cost \$589,133.90 (GST inclusive) for a total project cost of \$1,114,721.11 (GST inclusive).**

**CARRIED**

**BACKGROUND**

At Authority Meeting #02/05, held on March 11, 2005, Resolution #A31/05 was approved in part as follows:

*...WHEREAS the Toronto and Region Conservation Authority (TRCA) has been identified by the TWRC as the recipient agency to undertake the detailed design and implementation of Component 1 of the Lower Don River West Remedial Flood Protection Project;*

*WHEREAS there is a particular urgency to start the design of Component 1 so as to take advantage of a narrow window of opportunity for construction to occur in 2005 and 2006;*

*THEREFORE LET IT BE RESOLVED THAT TRCA staff be directed to work with TWRC to finalize the work plan and Delivery Agreement for the Lower Don River West Remedial Flood Protection Project;*

*THAT the Authority direct the signing officers of the TRCA, subject to authorization by the TWRC and based on the recommendation of the selection committee, to confirm the successful team and commence the work for the design and implementation for Component 1 of the Lower Don River West Remedial Flood Protection Project;*

*THAT the appropriate TRCA officials be authorized and directed to take any action necessary to implement the design and implementation of Component 1, including the execution of all documentation required;*

*AND FURTHER THAT staff report back to the Authority identifying any actions taken in this regard.*

As per Resolution #A31/05, TRCA staff, in concert with the selection committee, which consisted of representatives from the Toronto Waterfront Revitalization Corporation (TWRC), Canadian National Railway (CNR), GO Transit and City of Toronto - Works and Emergency Services, undertook a competitive process to select a consultant team to undertake Detailed Design and Construction Administration for Component 1 of the Lower Don River Remedial Flood Protection Project.

A Call for Proposals for consulting services to undertake the project was issued on April 8, 2005 to three consulting teams that had submitted Expressions of Interest for the project on February 24, 2005: these teams were led by URS Canada (URS), Morrison Hershfield (MH) and Totten Sims Hubicki (TSH).

Copies of the three proposals were provided to the consultant selection team. All fee proposal components were removed from the proposals prior to distribution to the selection team. Members of the selection team were requested to review each of the proposals based on their technical merit.

Upon receipt, the proposals were examined to ensure that they met the stated mandatory requirements specified in the Call for Proposals. These included:

- Inclusion of the Proposal Submission Form;
- Inclusion of an Invited Consultant's Certificate;
- Inclusion of the Fee Summary;
- Team Organization and Qualifications;
- Understanding of the Project;
- Inclusion of a Work Plan and Schedule;
- Acceptance of the TWRC Code of Conduct, Confidentiality Agreement, and uncertainty involved with the status of the Environmental Assessment, the Contribution Agreement, and other risk factors.

Each of the three teams met the mandatory requirements of the Call for Proposals. As such, all three proposals underwent the technical evaluation.

On May 4, 2005, the consultant selection team interviewed the three consultant teams.

Based on consultant selection team's technical evaluation, it was apparent that all teams had the necessary expertise to carry out the assignment. The proposal scoring system placed TSH as the top ranking proposal followed by URS, and then Morrison Hershfield. All three teams qualified for further consideration through the fee proposal process.

Based on a recommendation from the TWRC, the fee proposal was structured to include a fixed fee for the design component including disbursements, and a cost for service based fee component (e.g. staff per diem rates per work activity, costs per borehole, etc). The cost for service based fee component was deemed necessary given the uncertainty:

- relating to the number of boreholes and monitoring wells that will be required for the various project components;
- surrounding the number of meetings that the consultants will be required to attend in support of the TRCA pertaining to contract negotiations, land acquisitions, establishment of easements and public involvement beyond six specified public and stakeholder meetings;
- pertaining to the on-site inspections during Construction Administration;

A breakdown of the fixed fee proposals is as follows:

### Fixed Fee Proposal

Consultant	Salary	Disbursements	Total
MH	\$1,284,427.00	\$32,684.00	\$1,317,111.00
URS	\$1,369,310.00	\$305,245.00	\$1,674,555.00
TSH	\$503,138.61	\$22,448.60	\$525,587.21

Based on the results of the proposal technical evaluation and their fee proposal, TRCA and the selection team recommends to the TRCA Signing Officers and TWRC, that TSH be retained to undertake the Detailed Design and Construction Administration for Component 1 of the Lower Don River West Remedial Flood Protection Project.

TSH has agreed to sign a Letter of Commencement to initiate the project activities until such time that a contract can be signed following the signing of an Eligible Recipient Agreement between the TWRC and TRCA.

It is anticipated that TWRC will provide confirmation of funding for the detailed design phase and of our selection process on Friday, May 20, 2005.

TRCA is proceeding with the finalization of the Eligible Recipient Agreement with TWRC and will prepare contracts for the consulting team.

#### FINANCIAL DETAILS

TWRC will provide all funding required for this work.

Report prepared by: Ken Dion, extension 5230  
For Information contact: Ken Dion, extension 5230  
Date: May 19, 2005

---

**RES.#A100/05 - LOWER DON RIVER WEST REMEDIAL FLOOD PROTECTION PROJECT**  
Component 1 - Hydro One. Retaining Hydro One to undertake Level A Assessments for the relocation of their underground and overhead power transmission lines as part of the Detailed Design for Component 1 of the Lower Don River West Remedial Flood Protection Project.

Moved by: Suzan Hall  
Seconded by: Frank Dale

**THAT Hydro One be retained to undertake the required Level A Assessments to relocate their underground and overhead power transmission lines to facilitate the detailed design phase for Component 1 of the Lower Don River West Remedial Flood Protection Project, at an upset cost of \$110,000, plus applicable taxes, subject to the approval of the Toronto Waterfront Revitalization Corporation and terms and conditions satisfactory to Toronto and Region Conservation Authority (TRCA) and its solicitors;**

**THAT a 15% contingency be established to address unforeseen tasks and associated costs;**

**AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect hereto, including the obtaining of necessary approvals and the execution of any documents.**

**CARRIED**

## **BACKGROUND**

At Authority Meeting #9/04, held on October 29, 2004 , Resolution #A296/05 authorized entering into required contracts or agreements necessary to implement all flood protection components of the Lower Don River West Remedial Flood Protection Project.

At Authority Meeting #2/05, held on March 11, 2005, Resolution #A31/05 was approved in part as follows:

*...WHEREAS the Toronto and Region Conservation Authority (TRCA) has been identified by the TWRC as the recipient agency to undertake the detailed design and implementation of Component 1 of the Lower Don River West Remedial Flood Protection Project;*

*WHEREAS there is a particular urgency to start the design of Component 1 so as to take advantage of a narrow window of opportunity for construction to occur in 2005 and 2006;*

*THEREFORE LET IT BE RESOLVED THAT TRCA staff be directed to work with TWRC to finalize the work plan and Delivery Agreement for the Lower Don River West Remedial Flood Protection Project;...*

A key element to be undertaken as part of the Component 1 works identified in Resolution #A31/05 was:

*A western extension of the existing railway bridge spanning the lower Don River will be constructed to provide additional hydraulic capacity for the Don River to flow under CN's Kingston Line railway embankment. This bridge widening is essential in order to accommodate the increase of instream discharge that would result following the construction of the above mentioned flood protection landform which would prevent the westward movement of floodwater into downtown Toronto during large flood events. This feature represents a key element of Component 1 of the LDRW Project.*

Construction of this bridge was made possible following Hydro One's identification that existing underground hydro cables located in the right-of-way of the proposed bridge span can be relocated at a relatively affordable cost. However, Hydro One is required to undertake a detailed assessment process (Level A Assessment) to determine how and when this relocation process could proceed. This Level A Assessment will require approximately 3 months of work from Hydro One engineers at an upset limit of \$88,000, plus applicable taxes. The results of the Level A Assessment will be incorporated into the detailed design of the Kingston Subdivision Bridge Expansion over the Don River.

Hydro One also indicated that they own low-lying overhead power transmission lines running perpendicular to the proposed right-of-way of the proposed bridge span. These overhead power transmission lines represent significant heavy equipment clearance issues pertaining to the construction of the Kingston Subdivision Bridge Expansion. Hydro One has indicated that it should be possible to raise these overhead lines using a temporary tower to provide sufficient clearance for construction to occur. To confirm this proposal, Hydro One is required to conduct a second detailed assessment process to examine how the overhead transmission lines can be relocated. This Level A Assessment will require approximately 1 month of work from Hydro One engineers at an upset cost of \$22,000, plus applicable taxes.

Combined, the total costs to retain Hydro One to undertake these two Level A Assessments will cost \$110,000, plus applicable taxes.

### **FINANCIAL DETAILS**

The funding will be provided by the TWRC as part of the Eligible Recipient Agreement.

Report prepared by: Ken Dion, extension 5230  
For Information contact: Ken Dion, extension 5230  
Date: May 19, 2005

---

**RES.#A101/05 - LOWER DON RIVER WEST REMEDIAL FLOOD PROTECTION PROJECT**  
Component 1 - CNR and GO Transit. Covering UMA's costs to coordinate CNR's and GO Transit's participation and approvals through the Detailed Design of Component 1 of the Lower Don River West Remedial Flood Protection Project.

Moved by: Suzan Hall  
Seconded by: Frank Dale

**WHEREAS UMA has been identified as the engineering firm which will represent GO Transit and CNR interests throughout the Detailed Design and Construction Administration of Component 1 for the Lower Don River West Remedial Flood Protection Project;**

**THEREFORE LET IT BE RESOLVED THAT the Toronto and Region Conservation Authority (TRCA) pay directly for UMA's costs related to UMA's involvement throughout the Detailed Design and Construction Administration of Component 1 for the Lower Don River West Remedial Flood Protection Project, at an initial upset limit of \$100,000 for the Detailed Design and Approvals process, subject to the approval of the Toronto Waterfront Revitalization Corporation (TWRC) and terms and conditions satisfactory to TRCA and its solicitors;**

THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect hereto, including the obtaining of necessary approvals and the execution of any documents;

AND FURTHER THAT TRCA staff report to the Authority when additional funds will be required to compensate UMA for their continued participation throughout the project.

CARRIED

## BACKGROUND

At Authority Meeting #9/04, held on October 29, 2004 , Resolution #A296/05 authorized entering into required contracts or agreements necessary to implement all flood protection components of the Lower Don River West Remedial Flood Protection Project.

At Authority Meeting #2/05, held on March 11, 2005, Resolution #A31/05 was approved in part as follows:

*...WHEREAS the Toronto and Region Conservation Authority (TRCA) has been identified by the TWRC as the recipient agency to undertake the detailed design and implementation of Component 1 of the Lower Don River West Remedial Flood Protection Project;*

*WHEREAS there is a particular urgency to start the design of Component 1 so as to take advantage of a narrow window of opportunity for construction to occur in 2005 and 2006;*

*THEREFORE LET IT BE RESOLVED THAT TRCA staff be directed to work with TWRC to finalize the work plan and Delivery Agreement for the Lower Don River West Remedial Flood Protection Project;...*

Two key elements to be undertaken as part of the Component 1 works identified in Resolution #A31/05 were:

*A western extension of the existing railway bridge spanning the lower Don River will be constructed to provide additional hydraulic capacity for the Don River to flow under CN's Kingston Line railway embankment. This bridge widening is essential in order to accommodate the increase of instream discharge that would result following the construction of the above mentioned flood protection landform which would prevent the westward movement of floodwater into downtown Toronto during large flood events. This feature represents a key element of Component 1 of the LDRW Project.*

*An additional feature not related to the flood protection works involves the construction of a pedestrian tunnel under the Bala Railway Line located just north of the railway bridge expansion of the Kingston Line. This tunnel under the Bala Line would link pedestrian use from the Waterfront Trail/Don River trail system to the future West Don Lands Precinct Community. TWRC has requested TRCA to include this work to enable an efficient work program with CN and GO Transit.*

To ensure that GO Transit's and CNR's concerns regarding the structural stability of the bridge expansion and pedestrian underpass are addressed, and that the construction impacts on infrastructure, planning and operations are not significant, UMA has been identified as the engineering firm that will provide peer review, approvals and coordination services on behalf of the railways throughout the detailed design and construction administration phases of the project. TWRC and TRCA staff have agreed that UMA's costs for participation in this project will be covered as part of the project.

#### **FINANCIAL DETAILS**

The funding will be provided by the TWRC as part of the Eligible Recipient Agreement.

Report prepared by: Ken Dion, extension 5230  
For Information contact: Ken Dion, extension 5230  
Date: May 19, 2005

---

**RES.#A102/05 - NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT 2001-2005**  
Flood Plain and Conservation Component, Humber River Watershed  
Manuel and Rosa Ferreira, CFN 36465. Purchase of property located at the rear of 44 Acacia Avenue, City of Toronto, Etobicoke York Community Council Area, under the "Natural Heritage Lands Protection and Acquisition Project 2001-2005", Flood Plain and Conservation Component, Humber River watershed.  
*(Executive Res.#B41/05)*

Moved by: Linda Pabst  
Seconded by: Glenn Mason

**THAT 0.009 hectares (0.023 acres), more or less, of vacant land be purchased from Manuel and Rosa Ferreira, being Part of Lots 242, 243, and 244 on Plan 1842 and designated as Parts 2 and 4 on Plan 66R-21641, City of Toronto, Etobicoke York Community Council Area, located at the rear of 44 Acacia Avenue;**

**THAT the purchase price be \$2.00;**

**THAT the Toronto and Region Conservation Authority (TRCA) receive conveyance of the land free from encumbrance, subject to existing service easements;**

**THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;**

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

CARRIED

---

**RES.#A103/05 - NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT 2001-2005**  
Flood Plain and Conservation Component, Duffins Creek Watershed  
Claremont Estates Ontario Inc., CFN 36462. Purchase of property located west of Old Brock Road, north of Central Street - Claremont, City of Pickering, under the "Natural Heritage Lands Protection and Acquisition Project 2001-2005", Flood Plain and Conservation Component, Duffins Creek watershed.  
*(Executive Res.#B42/05)*

Moved by: Linda Pabst  
Seconded by: Glenn Mason

THAT 8.78 hectares (21.70 acres), more or less, of vacant land be purchased from Claremont Estates Ontario Inc., being Part of Block 24 on Plan 40M-1482 and designated as Blocks 17 and 18 on a Draft Plan of Survey prepared by H. F. Grander Company Ltd., Ontario Land Surveyors, under their Project No. 5662S, dated February 28, 2005, City of Pickering, located west of Old Brock Road, north of Central Street - Claremont;

THAT the purchase price be \$2.00;

THAT the Toronto and Region Conservation Authority (TRCA) receive conveyance of the land free from encumbrance, subject to existing service easements;

THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;

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

CARRIED

---

**RES.#A104/05 - NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT 2001-2005**  
Flood Plain and Conservation Component, Don River Watershed  
Reena Foundation, CFN 36461. Purchase of property located at 138 Weldrick Road, Town of Richmond Hill, under the "Natural Heritage Lands Protection and Acquisition Project 2001-2005", Flood Plain and Conservation Component, Don River watershed.  
*(Executive Res.#B43/05)*

Moved by: Linda Pabst  
Seconded by: Glenn Mason

THAT 0.21 hectares (0.52 acres), more or less, of vacant land be purchased from Reena Foundation, being Part of Lots 87 and 88 on Plan 1923 and designated as Parts 2, 3 and, 4 on a Draft Plan of Survey prepared by P. Salna Company Ltd., Ontario Land Surveyors, under their File: 60-18"B", dated November 22, 2004, Town of Richmond Hill, located at 138 Weldrick Road;

THAT the purchase price be \$2.00;

THAT the Toronto and Region Conservation Authority (TRCA) receive conveyance of the land free from encumbrance, subject to existing service easements;

THAT the firm of Gardiner Roberts LLP, Barristers & Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid;

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

CARRIED

---

**RES.#A105/04 - NATURAL HERITAGE LANDS PROTECTION AND ACQUISITION PROJECT 2001-2005**  
Flood Plain and Conservation Component, Carruthers Creek Watershed  
William Brown, CFN 36473. Acquisition of a conservation easement,  
located west of Salem Road, north of the 5th Concession Road, City of  
Pickering, Regional Municipality of Durham, Carruthers Creek watershed.  
(Executive Res.#B44/05)

Moved by: Linda Pabst  
Seconded by: Glenn Mason

THAT a conservation easement for the construction of a valley trail containing 0.38 hectares (0.94 acres), more or less, consisting of an irregular shaped parcel of land, be purchased from William Brown, said land being Part Lot 7, Concession 5, designated as Part 5 on a draft Plan of Survey prepared by Schaeffer & Dzaldov Ltd., Ontario Land Surveyors under their Job No. 02-154-03A, dated March 15, 2005, City of Pickering, Regional Municipality of Durham, west of Salem Road, north of the 5th Concession Road;

THAT the purchase price of the easement be \$2.00;

THAT the Toronto and Region Conservation Authority (TRCA) receive conveyance of the easement required free from encumbrance, subject to existing service easements;

THAT Gardiner Roberts LLP, Barristers and Solicitors, be instructed to complete the transaction at the earliest possible date. All reasonable expenses incurred incidental to the closing for land transfer tax, legal costs, and disbursements are to be paid.

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

CARRIED

---

**RES.#A106/05 - REQUEST FOR SALE OF TRCA-OWNED LAND**

Adjacent to 1 Jennifer Court

Armando and Rafella Cosentino, CFN 25778. The Toronto and Region Conservation Authority is in receipt of a request from the City of Toronto Encroachment Review Committee to explore the possibility of the sale of a small fragment of land adjacent to 1 Jennifer Court, City of Toronto, North York Community Council Area, Humber River watershed.

*(Executive Res.#B45/05)*

Moved by: Linda Pabst  
Seconded by: Glenn Mason

THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the City of Toronto Encroachment Review Committee to proceed with the sale of a small fragment of TRCA-owned tableland located adjacent to 1 Jennifer Court, City of Toronto, North York Community Council Area;

AND WHEREAS it is in the best interests of the TRCA in furthering its objectives, as set out in Section 20 of the Conservation Authorities Act to complete a sale to Armando and Rafella Cosentino in this instance;

THEREFORE LET IT BE RESOLVED THAT a small fragment of TRCA-owned tableland containing 45.71 square metres (492 square feet), more or less, be sold to Armando and Rafella Cosentino, located adjacent to 1 Jennifer Court, said land being Part of Block B on Plan M-879, City of Toronto, North York Community Council Area;

THAT the TRCA request approval of the Minister of Natural Resources to complete the sale of the subject land on the following terms and conditions:

- (a) The sale price is to be the sum of \$6.00 per square foot based on the area of the property as certified by an Ontario Land Surveyor (i.e. 492 square feet x \$6.00 = \$2,952.00);
- (b) Armando and Rafella Cosentino are to pay all legal, survey and other costs, including any fees required for municipal approvals (such as consent to sever / minor variance applications, rezoning, Site Plan Control application, etc.) as deemed necessary by the City of Toronto;

- (c) Completion of this sale will be subject to any Planning Act approvals that may be required to sever the lands to be sold;
- (d) The transaction is to be completed at the earliest possible date with payment in full to the TRCA in cash on closing;

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

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect hereto, including the obtaining of necessary approvals and the execution of any documents.

CARRIED

---

RES.#A107/05 -

**REQUEST FOR SALE OF TRCA-OWNED LAND**

Adjacent to 3 Broadmead Avenue  
Donald Gill, CFN 34117. The Toronto and Region Conservation Authority is in receipt of a request from the City of Toronto Encroachment Review Committee to explore the possibility of the sale of a small fragment of land adjacent to 3 Broadmead Avenue, City of Toronto, Scarborough Community Council Area, Lake Ontario Waterfront.  
*(Executive Res.#B46/05)*

Moved by: Linda Pabst  
Seconded by: Glenn Mason

THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the City of Toronto Encroachment Review Committee to proceed with a sale of a small fragment of TRCA-owned tableland located adjacent to 3 Broadmead Avenue, City of Toronto, Scarborough Community Council Area;

AND WHEREAS it is in the best interests of the TRCA in furthering its objectives, as set out in Section 20 of the Conservation Authorities Act to complete a sale to Donald Gill in this instance;

THEREFORE BE IT RESOLVED THAT a small fragment of TRCA-owned tableland containing 88.26 square metres (950 square feet), more or less, be sold to Donald Gill, located adjacent to 3 Broadmead Avenue, said land being Part of Lots 511 and 512 on Plan 2347, City of Toronto, Scarborough Community Council Area;

THAT the TRCA request approval of the Minister of Natural Resources to complete the sale of the subject land on the following terms and conditions:

- (a) The sale price is to be the sum of \$6.00 per square foot based on the area of the property as certified by an Ontario Land Surveyor (i.e. 950 square feet x \$6.00 = \$5,700.00);
- (b) Donald Gill is to pay all legal, survey and other costs, including any fees required for municipal approvals (such as consent to sever / minor variance applications, rezoning, Site Plan Control application, etc.) as deemed necessary by the City of Toronto;
- (c) a restrictive covenant must be registered on title, defining the use of the purchased land;
- (d) Completion of this sale will be subject to any Planning Act approvals that may be required to sever the lands to be sold;
- (e) The transaction is to be completed at the earliest possible date with payment in full to the TRCA in cash on closing;

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

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect hereto, including the obtaining of necessary approvals and the execution of any documents.

CARRIED

---

**RES.#A108/05 - REQUEST FOR SALE OF TRCA-OWNED LAND**  
 Adjacent to 5 Eldorado Court  
 Mr. and Mrs. Tsai, CFN 34115. The Toronto and Region Conservation Authority is in receipt of a request from the City of Toronto Encroachment Review Committee to explore the possibility of the sale of a small fragment of land adjacent to 5 Eldorado Court, City of Toronto, North York Community Council Area, Humber River watershed.  
*(Executive Res.#B47/05)*

Moved by: Linda Pabst  
 Seconded by: Glenn Mason

THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the City of Toronto Encroachment Review Committee to proceed with a sale of a small fragment of TRCA-owned land located adjacent to 5 Eldorado Court, City of Toronto, North York Community Council Area;

AND WHEREAS it is in the best interests of the TRCA in furthering its objectives, as set out in Section 20 of the Conservation Authorities Act to complete a sale to Mr. and Mrs. Tsai in this instance;

THEREFORE BE IT RESOLVED THAT a small fragment of TRCA-owned land containing 24.43 square metres (263 square feet), more or less, be sold to Mr. and Mrs. Tsai, located adjacent to 5 Eldorado Court, said land being Part of Lot 17, Concession 4 WYS, City of Toronto, North York Community Council Area;

THAT the TRCA request approval of the Minister of Natural Resources to complete the sale of the subject land on the following terms and conditions:

- (a) The sale price is to be the sum of \$6.00 per square foot based on the area of the property as certified by an Ontario Land Surveyor (i.e. 263 square feet x \$6.00 = \$1,578.00);
- (b) Mr. and Mrs. Tsai are to pay all legal, survey and other costs, including any fees required for municipal approvals (such as consent to sever / minor variance applications, rezoning, Site Plan Control application, etc.) as deemed necessary by the City of Toronto;
- (c) A restrictive covenant must be registered on title indicating that the owner(s) of 5 Eldorado Court are responsible for the long-term maintenance of the existing gabion retaining wall located on the land being sold and indemnifying the TRCA and the City of Toronto from any and all related action;
- (d) Completion of this sale will be subject to any Planning Act approvals that may be required to sever the lands to be sold;
- (e) The transaction is to be completed at the earliest possible date with payment in full to the TRCA in cash on closing;

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

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect hereto, including the obtaining of necessary approvals and the execution of any documents.

CARRIED

**RES.#A109/05 - REQUEST FOR SALE OF TRCA-OWNED LAND**

Adjacent to 2 Pineway Boulevard

Ivor Oram, CFN 34118. The Toronto and Region Conservation Authority is in receipt of a request from the City of Toronto Encroachment Review Committee to explore the possibility of the sale of a small fragment of land adjacent to 2 Pineway Boulevard, City of Toronto, North York Community Council Area, Don River watershed.

*(Executive Res.#B48/05)*

Moved by: Linda Pabst  
Seconded by: Glenn Mason

**THAT WHEREAS** the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the City of Toronto Encroachment Review Committee to proceed with a sale of a small fragment of TRCA-owned tableland located adjacent to 2 Pineway Boulevard, City of Toronto, North York Community Council Area;

**AND WHEREAS** it is in the best interests of the TRCA in furthering its objectives, as set out in Section 20 of the Conservation Authorities Act to complete a sale to Ivor Oram in this instance;

**THEREFORE BE IT RESOLVED THAT** a small fragment of TRCA-owned tableland containing 80.92 square metres (871 square feet), more or less, be sold to Ivor Oram, located adjacent to 2 Pineway Boulevard, said land being Part of Lot 21, Concession 2 EYS, City of Toronto - North York Community Council Area;

**THAT** the TRCA request approval of the Minister of Natural Resources to complete the sale of the subject land on the following terms and conditions:

- (a) The sale price is to be the sum of \$6.00 per square foot based on the area of the property as certified by an Ontario Land Surveyor (i.e. 871 square feet x \$6.00 = \$5,226.00);
- (b) Ivor Oram is to pay all legal, survey and other costs, including any fees required for municipal approvals (such as consent to sever / minor variance applications, rezoning, Site Plan Control application, etc.) as deemed necessary by the City of Toronto;
- (c) A restrictive covenant must be registered on title, defining the use of the purchased land;
- (d) Completion of this sale will be subject to any Planning Act approvals that may be required to sever the lands to be sold;
- (e) The transaction is to be completed at the earliest possible date with payment in full to the TRCA in cash on closing;

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

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect hereto, including the obtaining of necessary approvals and the execution of any documents.

CARRIED

---

**RES.#A110/05 - TOWN OF WHITCHURCH-STOUFFVILLE**  
Request for a Permanent Easement for a Storm Sewer and Outfall  
Duffins Creek Watershed, Town of Whitchurch-Stouffville  
CFN 36302. Receipt of a request from the Town of Whitchurch-Stouffville  
to provide a permanent easement for a storm sewer and outfall, east of  
the 9th Line, north of Millard Street - Stouffville, Duffins Creek watershed,  
Town of Whitchurch-Stouffville, Regional Municipality of York.  
*(Executive Res.#B49/05)*

Moved by: Bill Fisch  
Seconded by: John Sprovieri

THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) is in receipt of a request from the Town of Whitchurch-Stouffville to provide a permanent easement for a storm sewer and outfall, east of the 9th Line, north of Millard Street - Stouffville, Duffins Creek watershed, Town of Whitchurch-Stouffville, Regional Municipality of York;

AND WHEREAS it is in the best interest of the TRCA in furthering its objectives as set out in Section 20 of the Conservation Authorities Act to cooperate with the Town of Whitchurch-Stouffville in this instance;

THEREFORE LET IT BE RESOLVED THAT a permanent easement containing a total of 0.029 hectares (0.072 acres), more or less, be granted to the Town of Whitchurch-Stouffville for a storm sewer and outfall, said land being east of the 9th Line, north of Millard Street - Stouffville, Duffins Creek watershed, Town of Whitchurch-Stouffville and designated as Part 1 on a draft Plan of Survey prepared by Donald E. Roberts Ltd., Ontario Land Surveyors, under their Reference No. 85.1507-16, dated March 18, 2005;

THAT consideration be the nominal sum of \$2.00, plus all legal, survey and other costs to be paid by the Town of Whitchurch-Stouffville;

THAT the Town of Whitchurch-Stouffville is to fully indemnify the TRCA from any and all claims from injuries, damages or costs of any nature resulting in any way, either directly or indirectly, from the granting of this easement or the carrying out of construction;

THAT an archaeological investigation be completed, with any mitigative measures being carried out to the satisfaction of TRCA staff, at the expense of the Town of Whitchurch-Stouffville;

THAT all TRCA lands disturbed by the proposed works be revegetated / stabilized following construction and, where deemed appropriate by TRCA staff, a landscape plan be prepared for TRCA staff review and approval in accordance with existing TRCA landscaping guidelines;

THAT a permit pursuant to Ontario Regulation 158 be obtained prior to commencement of construction;

THAT the granting of this easement is subject to receipt of written approval from the Town of Whitchurch-Stouffville Leisure Services Department who manage these lands on behalf of the TRCA;

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

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take whatever action may be required to give effect hereto, including the obtaining of necessary approvals and the execution of any documents.

CARRIED

---

**RES.#A111/05 - 2005 CONTRACTS FOR YORK-PEEL-DURHAM-TORONTO  
GROUNDWATER MANAGEMENT STUDY**  
Award of contracts for 2005.  
*(Executive Res.#B50/05)*

Moved by: Linda Pabst  
Seconded by: Glenn Mason

THAT a three year agreement with Earthfx Incorporated to provide ongoing numerical modeling, database and website management services to the partner agencies be approved at a cost not to exceed \$200,000, plus applicable taxes, per calendar year;

THAT a two year agreement with the Geological Survey of Canada (GSC) to provide continuing geoscience services be approved at a cost not to exceed \$50,000 per calendar year;

THAT an agreement with DGI Geophysics to continue the collection of borehole geophysics data on key strategic boreholes across the study area be approved at a cost not to exceed \$75,000, plus applicable taxes;

THAT these agreements be on terms and conditions satisfactory to TRCA staff and solicitors;

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

CARRIED

---

**RES.#A112/05 - ESTATE OF POMPEA ZAERA FERZOCO AND CITY OF TORONTO  
ONTARIO MUNICIPAL BOARD HEARING**  
Authorization for Toronto and Region Conservation Authority staff to obtain Party Status before the Ontario Municipal Board on referrals related to zoning by-law amendment, site plan and common element condominium applications, and any other associated applications under the Planning Act, to permit a residential development at 56 Grovetree Road.  
*(Executive Res.#B51/05)*

Moved by: Suzan Hall  
Seconded by: Andrew Schulz

THAT authorization be given to Toronto and Region Conservation Authority (TRCA) staff to obtain Party Status before the Ontario Municipal Board (OMB) regarding proposed zoning by-law amendment, site plan and common element condominium applications, and any other associated applications under the Planning Act, to permit a residential development at 56 Grovetree Road, that are not in conformity with the Valley and Stream Corridor Management Program (VSCMP);

THAT staff continue to work cooperatively with the City of Toronto and the appellants to ensure that the requirements of the VSCMP are met;

THAT staff be authorized to retain legal counsel to pursue this appeal before the OMB;

AND FURTHER THAT the OMB and all parties and participants to the hearing be so advised.

CARRIED

---

**RES.#A113/05 - LAKE ONTARIO RESOURCES IMPROVEMENT OPPORTUNITY  
ASSESSMENT**  
Approval to enter into an agreement with the Natural Heritage Institute to participate in the Lake Ontario Resources Improvement Opportunity Assessment Project funded by the Great Lakes Protection Fund.  
*(Executive Res.#B52/05 & Res.#B53/05)*

Moved by: Linda Pabst  
Seconded by: Glenn Mason

THAT approval be granted to enter into an agreement with the Natural Heritage Institute, California, USA, for the Toronto and Region Conservation Authority (TRCA) to provide services for the Lake Ontario Resources Improvement Opportunity Assessment project, the estimated value of the services provided being US \$117,116;

AND FURTHER THAT appropriate TRCA officials be authorized and directed to take such action as is necessary to implement the agreement including the signing and execution of documents.

CARRIED

---

## SECTION II - ITEMS FOR EXECUTIVE ACTION

### RES.#A114/05 - SECTION II - ITEMS FOR EXECUTIVE ACTION

Moved by: Bill O'Donnell  
Seconded by: David Gurin

THAT Ontario Regulation 158 items 8.13.1 - 1.13.35, contained in Section II of Executive Committee Minutes #3/05, held on May 6, 2005, be received.

CARRIED

---

### RES.#A115/05 - SECTION II - ITEMS FOR EXECUTIVE ACTION

Moved by: Michael Di Biase  
Seconded by: Bill O'Donnell

THAT Section II item 8.14 - Award of Contract for Swimming Pool Tender No. CA05-002, contained in Executive Committee Minutes #3/05, held on May 6, 2005, be received.

CARRIED

---

### RES.#A116/05 - SECTION II - ITEMS FOR EXECUTIVE ACTION

Moved by: Dave Ryan  
Seconded by: Nancy Stewart

THAT Section II items 8.15 - 8.18, inclusive, contained in Executive Committee Minutes #3/05, held on May 6, 2005, be received.

CARRIED

**Section II Items 8.15 - 8.18, Inclusive**

FEDERAL FISHERIES ACT

*(Executive Res.#B58/05)*

TEAPOT LAKE

*(Executive Res.#B59/05)*

PINE CREEK AND DUNBARTON CREEK DIGITAL FLOODLINE MAPPING

*(Executive Res.#B60/05)*

TOP OF RIDGE AND TOWN OF CALEDON

*(Executive Res.#B61/05)*

---

**TERMINATION**

ON MOTION, the meeting terminated at 10:28 a.m., on Friday, May 27, 2005.

---

Dick O'Brien  
Chair

---

Brian Denney  
Secretary-Treasurer

/ks